UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF XX

JOHN SMITH #1, JOHN SMITH #2,
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JANE SMITH #1, JANE SMITH #2
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c/o Attorney XX.
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XX City
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OTHER SIMILARLY SITUATED
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INDIVIDUALS
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Plaintiffs,
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Civil Action No. 03-________
vs.
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PRESIDENT BARACK OBAMA

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The White House

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20500 Washington, D.C.

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and
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DAVID NABARRO

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UNITED NATIONS

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760 United Nations Plaza,

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New York, NY 10017
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and
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DR. MARGARET CHAN
*
WORLD HEALTH ORGANISATION
*
Avenue Appia 20
*
1211 Geneva 27, Switzerland
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and
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KATHLEEN SIBELIUS
*
SECRETARY OF HEALTH AND
*
HUMAN SERVICES
*
200 Independence Avenue, S.W.
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Washington, D.C. 20201,
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and
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JANET NAPOLITANO
*
DEPARTMENT OF HOMELAND SECURITY
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1000 Defense Pentagon
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Washington, D.C. 20301
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and
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DR. MARGARET HAMBURG
*
COMMISSIONER
*
FOOD AND DRUG ADMINISTRATION
*
5600 Fishers Lane
*
Rockville, Maryland 20857-0001,
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COMPLAINT

A. Plaintiffs, known as AA, BB and CC, #1 through #X, bring this action on behalf of themselves and all other similarly situated individuals, against the Defendants President Barack Obama, President of the United States, David Nabarro, UN System Coordinator for Influenza, Margaret Chan, Director-General of World Health Organisation, Kathleen Sibelius, Secretary of Department of Health and Human Services (HHS), Secretary Janet Napolitano, the Department of Homeland Security, and Dr. Margaret Hamburg, newly confirmed Commissioner, Food and Drug Administration, seeking temporary and permanent injunctive relief from the government, UN's, WHO's, DHS's and HHS's swine flu and other pandemic flu vaccination or other medication programs, as well as a declaratory judgment that those provisions of The Model State Emergency Health Powers Act, the National Emergency Act, NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20, International Partnership on Avian and Pandemic Influenza, or any other presidential waiver or directive or international law or act that abolishes or modifies the primacy of the US Preamble, Constitution and Bill of Rights, and restricts the civic rights assigned to citizens thereby, including military personnel, to refuse a vaccination, classified as a bioweapon by the government's own definition, and is being administered to United States federal employees is in violation of federal law. Plaintiffs seek this relief pursuant to the Administrative Procedures Act, 5 U.S.C. § 551, et seq., the Federal Declaratory Judgment Act, 28 U.S.C. § 2201 and the All Writs Act, 28 U.S.C. § 1651.

PARTIES

1. Plaintiffs are citizens of the United States of America, and have been instructed to submit to untested "swine flu" and other similar pandemic vaccines including "bird flu", which are classified by the US government as bioweapons, without their consent pursuant to the Model State Emergency Health Powers Act, National Emergency Act, NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20, and the International Partnership on Avian and Pandemic Influenza. Similarly situated individuals including everyone whose current residence is the United States of America, who have been ordered, or will imminently be ordered, to take the vaccinations, classified by the US government as bioweapons, in the event of a pandemic level 6 being declared by the World

Health Organisation in Geneva or on another government declaration.

2. Defendant President Barack Obama, who as part of his Office, will oversee the implementation of the International Partnership on Avian and Pandemic Influenza, which would give primacy to the World Health Organisation (WHO) and United Nations over US law and government agencies in the event of a pandemic being declared. President Obama has also requested a $1.5 billion emergency appropriation to deal with swine flu, including development of a vaccine.

3. Defandant David Nabarro, who as Senior U.N. system influenza coordinator will implement an emergency response plan in the event of a declared pandemic on US territoriy operating through authorities under the WTO, North American Free Trade Agreement and the U.N. Food and Agriculture Organization, and taking precedence over US government agencies and law.

4. Defandant WHO, the organisation responsible for coordinating the global response, including the US response, to the „swine flu“ and other pandemics.

5. Defendant HHS is in the process of working with vaccine manufacturers to facilitate production of pilot vaccine lots for both H5N1 and H9N2 strains as well as contracting for the manufacturing of H5N1 vaccine. The HHS recently awarded contracts to Novartis AG worth $289 million; Sanofi Aventis SA for $191 million, and GlaxoSmithKline PLC for $181 million to produce H1N1 vaccine ingredients. HHS said it is also talking to additional manufacturers to find more capacity.

6. Defendant DHS has prepared pandemic flu guidelines, including the National Strategy To Safeguard Against The Danger Of Pandemic Influenza (White House) and will coordinate between government officials and the public health, medical, veterinary, and law enforcement communities, as well as the private sector in the event of a declared pandemic.

7. Defendant Department of Health and Human Services (“HHS”) through its agent, Defendant Food and Drug Administration (“FDA”), is the federal agency responsible for licensing and quality control of drugs and biologic products, such as „swine flu“ and other pandemic vaccines.

8. The FDA is responsible for promulgating federal regulations that describe what makes a drug or vaccine an “IND” and how a drug is placed in IND status.

JURISDICTION AND VENUE

9. There is a legitimate matter in controversy between the named parties because Plaintiffs claim that any pandemic flu vaccine is a) classed as a “bioweapon” according to the US government’s own documents (see Attachment 1), b) the vaccine companies tasked with producing the vaccine have been involved in the activities of the type typical of bioweapons, including

developing weapnized viruses, releasing them into the general public (Baxter, Austria), deliberate contamination of vaccines resulting in death and injury and designing trials of vaccine to cause death and injury (Novartis) and there is a high probability the vaccines will be cause injury or death, and c) the government is acting unconstituutionally and illegally in compelling them to take an injection of a substance classified as bioweapon d) in criminalising a refusal, and e) in waiving their right to claim compensation in the event of injury or damage, and f) by misusing them as “vectors” to spread the pandemic because the act of mass vaccination, that is to say, forced injections of of toxins under guise of offering prophylactic treatment into the population is the process, which will itself allow the virus to mutate and release a fully weaponized virus.

10. Plaintiffs will suffer substantial and irreparable injury if they are forced to take the unproven vaccine, classified as a bioweapon by the government’s own definition, and cite the fact that the government has introduced legislation to bar from financial compensation or legal redress in violation of Constitutional law as evidence of the government’s intent.

11. In the event of a pandemic level 6 being declared, the Plaintiffs will also loose their civic rights guaranteeed by the Preamble, Constitution and Bill of Rights and will find themselves under a „foreign“ government with the UN and WHO in control.

11. Plaintiffs note a court case brought in the 1970's against vaccination by Ida Honorof and Eleanor McBean was dismised by the judge on the grounds that they would only have standing if they „took a shot and dropped dead”. Plaintiffs contend that if they are killed as a result of a vaccination injection, they will not be alive to claim standing, so making their right to standing de facto null and void, and any such judgement illegal.

12. Jurisdiction is proper in this Court under the Administrative Procedures Act, 5 U.S.C.
§ 702, and under 28 U.S.C. § 2201, which states that actions involving controversies with federal agencies may be pursued in any United States District Court, and under 28 U.S.C. §§ 1331 and
1346.

13. Jurisdiction on infectious diseases is proper to this Court.

14. Jurisdiction on the development, production, and stockpiling of biological and toxin weapons is proper to this court.

A Factual Background

I. Timeline; outline of events *and relevant facts*

A. The Model State Emergency Health Powers Act, the NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20 and other laws.

1. The Model State Emergency Health Powers Act adopted in 38 States makes it a misdemeanor to a felony to refuse to take a vaccine mandated by the federal government and/or other affiliated bodies if the government officially declares a pandemic. Law enforcement officers are allowed to use deadly force against felony suspects.

For the specific versions of that Act enacted in each individual state.

2. The "Model State Emergency Heath Powers Act" allows the Government to seize and/or quarantine a town and all the people within it.

3. Once a town is quarantined, the government is allowed to seize all property and seize the rights of the people to resist government i.e. confiscating all civilian owned firearms.

http://www.publicealthlaw.net/MSEHPA/MSEHPA%20Surveillance.pdf (Model State Emergency Health Powers Act)
http://www.pandemicflu.gov/plan/states/stateplans.html

4. People who suffer death or injury as a result of a government-mandated vaccine will be barred from seeking compensation under provisions of the laws and acts.

5. Section 63, Vaccination and Treatment of The Model State Emergency Health Powers Act, A Checklist of Issues, indicates those unwilling to submit to a vaccine will be subject to isolation or quarantine.
http://www.ncsl.org/programs/health/modelact.pdf

6. Mandatory vaccine simulation drills are planned for at least three states including Texas, Ohio and Alaska. (Maloney, County plans to deal with unthinkable, 2009)
http://www.seguingazette.com/story.lasso?ewcd=7067c6003405a409

7. The Massachusetts Legislature is fast-tracking legislation for Martial Law and mandatory vaccines in response to the current „swine flu outbreak“. (AP, 2009)

http://news.bostonherald.com/news/politics/view/2009_04_28_Mass__Senate_approves_pandemic_flu_prep_bill/

8. Under the National Emergency Act, the President "may seize property, organize and control the means of production, seize commodities, assign military forces abroad, institute martial law, seize and control all transportation and communication, regulate the operation of private enterprise, restrict travel, and, in a variety of ways, control the lives of United States citizens."

9. NSPD-51/ HSPD-20 have created the position of National Continuity Coordinator without any specific act of Congress authorizing the position.

10. NSPD-51/ HSPD-20 appears to negate any a requirement that the President submit to Congress a determination that a national emergency exists, suggesting instead that the powers of the executive order can be implemented without any congressional approval or oversight.
http://www.dhs.gov/xabout/laws/gc_1219263961449.shtm#1

11. NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20 allows the governors in each state to suspend the government and law and, among other things, confiscate and destroy facilities and resources in the interest of the public health without compensation to the owners, per Article IV Section 402(a). The State Legislatures are barred from intervening for a period of 60 days.

12. Any physician or other health care provider who refuses to perform medical examination or vaccinations as directed shall be liable for delicensure and the inability to continue to practice in the State.

13. the Act criminalizes refusal of medical treatment, making citizens liable for a misdemeanor if they refuse mandatory vaccines, per Article V Section 504(b). The Act gives the public health authority the right to isolate or quarantine a person on an ex parte court order, with no hearing for at least 72 hours. If the public health authority decides that an unvaccinated person is a risk to others, even if uninfected, he could be quarantined, per Article V Section 503(e).

14. The Act removes the States accountability for harm or deaths resulting from mandatory vaccines citing the state immunity clause: "Neither the State, its political subdivisions, nor, except in cases of gross negligence or willful misconduct, the Governor, the public health authority, or any other State official referenced in this Act, is liable for the death of or any injury to persons, or damage to

property, as a result of complying with or attempting to comply with this Act or any rule or regulations promulgated pursuant to this Act," per Article VIII Section 804.

15. President Bush announced a new International Partnership on Avian and Pandemic Influenza to a High-Level Plenary Meeting of the U.N. General Assembly, in New York on Sept. 14, 2005. The 2005 plan, operative until Bush announced the International Partnership on Avian and Pandemic Influenza, directed the State Department to work with the WHO and U.N.

http://www.hhs.gov/pandemicflu/plan/appendixh.html

16. The Security and Prosperity Partnership of North America Summit in Canada released a plan that establishes U.N. law along with regulations by the World Trade Organization and World Health Organization as supreme over U.S. law during a pandemic and sets the stage for militarizing the management of continental health emergencies.

17. the SPP plan gives primacy for avian and pandemic influenza management to plans developed by the WHO, WTO, U.N. and NAFTA directives – not to decisions made by U.S. agencies.

18. the U.S. Northern Command, or NORTHCOM, has created a web page dedicated to avian flu and has been running exercises in preparation for the possible use of U.S. military forces in a continental domestic emergency involving avian flu or pandemic influenza.

19. All 194 nation-states (members of U.N.) had until June 2007 to implement the WHO revised International Health Regulations (IHR) -- revised in 2005, which included passage of legislation empowering state surveillance and monitoring of their citizens under the guise of a potential worldwide pandemic (smallpox, polio, SARS or human cases of new strains of influenza). Stockpiling specific vaccines and anti-viral medications are part of compliance with IHR.

20. The U.N.-WHO-WTO-NAFTA plan advanced by SPP features a prominent role for the U.N. system influenza coordinator as a central international director in the case of a North American avian flu or pandemic influenza outbreak.

21. in Sept. 2005, Dr. David Nabarro was appointed the first U.N. system influenza coordinator, a position which also places him as a senior policy adviser to the U.N. director-general. Nabarro joined the WHO in 1999 and was appointed WHO executive director of sustainable development and health environments in July 2002.

22. In a Sept. 29, 2005, press conference at the U.N., Nabarro

made clear that his job was to prepare for the H5N1 virus, known as the avian flu.

He quantified the deaths he expected as follows: "I'm not, at the moment at liberty to give you a prediction on numbers, but I just want to stress, that, let's say, the range of deaths could be anything from 5 to 150 million."

23. The National Security and Homeland Security Presidential Directive, signed on May 9, 2007 declares that in the event of a “catastrophic event”, George W. Bush can become what is best described as "a dictator":

"The President shall lead the activities of the Federal Government for ensuring constitutional government."

This directive gives the White House unprecedented dictatorial power over the government and the country, bypassing the US Congress and obliterating the separation of powers. The directive also placed the Secretary of Homeland Security in charge of domestic “security”.

“(1) this directive establishes a comprehensive national policy on the continuity of Federal Government structures and operations and a single National Continuity Coordinator responsible for coordinating the development and implementation of Federal continuity policies. This policy establishes "National Essential Functions," prescribes continuity requirements for all executive departments and agencies, and provides guidance for State, local, territorial, and tribal governments, and private sector organizations in order to ensure a comprehensive and integrated national continuity program that will enhance the credibility of our national security posture and enable a more rapid and effective response to and recovery from a national emergency.

24.(b) "Catastrophic Emergency" means any incident, regardless of location, that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the U.S. population, infrastructure, environment, economy, or government functions.“

B. World Health Organization (WHO) and U.N.

25. The World Health Organization (WHO) is a specialized agency of the United Nations (UN) that acts as a coordinating authority on international public health. Established on 7 April 1948, and headquartered in Geneva, Switzerland, the

agency inherited the mandate and resources of its predecessor, the Health Organization, which had been an agency of the League of Nations.

26. The WHO's constitution states that its objective "is the attainment by all peoples of the highest possible level of health."

27. The WHO and UN will become the controlling agencies in the US in the event of a declared pandemic level 6.

28. The World Health Organization (WHO) has developed a global influenza preparedness plan, which defines the stages of a pandemic, outlines WHO's role and makes recommendations for national measures before and during a pandemic.

Phases

WHO Pandemic Influenza Phases (2009)[80]	
Phase	Description
Phase 1	No animal influenza virus circulating among animals have been reported to cause infection in humans.
Phase 2	An animal influenza virus circulating in domesticated or wild animals is known to have caused infection in humans and is therefore considered a specific potential pandemic threat.
Phase 3	An animal or human-animal influenza reassortant virus has caused sporadic cases or small clusters of disease in people, but has not resulted in human-to-human transmission sufficient to sustain community-level outbreaks.
Phase 4	Human to human transmission of an animal or human-animal influenza reassortant virus able to sustain community-level outbreaks has been verified.
Phase 5	Human-to-human spread of the virus in two or more countries in one WHO region.
Phase 6	In addition to the criteria defined in Phase 5, the same virus spreads from human-to-human in at least one

	other country in another WHO region.
Post peak period	Levels of pandemic influenza in most countries with adequate surveillance have dropped below peak levels.
Post pandemic period	Levels of influenza activity have returned to the levels seen for seasonal influenza in most countries with adequate surveillance.

29. "Efforts by the federal government to prepare for pandemic influenza at the national level include a $100 million DHHS initiative in 2003 to build U.S. vaccine production.

30. Several agencies within Department of Health and Human Services (DHHS) — including the Office of the Secretary, the Food and Drug Administration (FDA), CDC, and the National Institute of Allergy and Infectious Diseases (NIAID) — are in the process of working with vaccine manufacturers to facilitate production of pilot vaccine lots for both H5N1 and H9N2 strains as well as contracting for the manufacturing of 2 million doses of an H5N1 vaccine.

31. On October 27, 2005, the Department of Health and Human Services awarded a $62.5 million contract to Chiron Corporation to manufacture an avian influenza vaccine designed to protect against the H5N1 influenza virus strain. This followed a previous awarded $100 million contract to sanofi pasteur, the vaccines business of the sanofi-aventis Group, for avian flu vaccine.

32. According to The New York Times as of March 2006, "governments worldwide have spent billions planning for a potential influenza pandemic: buying medicines, running disaster drills, [and] developing strategies for tighter border controls" due to the H5N1 threat.[83]

33. In October 2005, President Bush urged bird flu vaccine manufacturers to increase their production.[94]

34. On November 1, 2005 President Bush submitted a request to Congress for $7.1 billion to begin implementing the National Strategy To Safeguard Against The Danger of Pandemic Influenza. The request includes $251 million to detect and contain outbreaks before they spread around the world; $2.8 billion to accelerate development of cell-culture technology; $800 million for development of new treatments and vaccines; $1.519 billion for the Departments of Health and Human

Services (HHS) and Defense to purchase influenza vaccines; $1.029 billion to stockpile antiviral medications; and $644 million to ensure that all levels of government are prepared to respond to a pandemic outbreak.[96]

35. On 6 March 2006, Mike Leavitt, Secretary of Health and Human Services, said U.S. health agencies are continuing to develop vaccine alternatives that will protect against the evolving avian influenza virus.[97]

C. 2009 Swine flu outbreak

36. In March and April 2009, an outbreak of a new strain of influenza commonly referred to as "swine flu" infected many people in Mexico and other parts of the world.

37. The new strain was first diagnosed in two children by the CDC, first on April 14 in San Diego County, California and a few days later in nearby Imperial County, California.[78] Neither child had been in contact with pigs.

38. The outbreak was first detected in Mexico City, where surveillance began picking up a surge in cases of influenza-like illness (ILI) starting March 18.[80]

39. On April 18.[85] The Mexican cases were confirmed by the CDC and the World Health Organization to be a new strain of H1N1.[80][86]

40. Cases were also reported in the states of San Luis Potosí, Hidalgo, Querétaro and Mexico State.[87] Mexican Health Minister José Ángel Córdova on April 24, said "We’re dealing with a new flu virus that constitutes a respiratory epidemic that so far is controllable."[87] Mexican news media speculate that the outbreak may have started in February near a Smithfield Foods pig plant amid complaints about its intensive farming practices,[88][89] although no pigs in Mexico have tested positive for the virus.[citation needed]

41. The first death from swine flu occurred on April 13, when a diabetic woman from Oaxaca died from respiratory complications.[91][92] The Mexican fatalities are alleged to be mainly young adults of 25 to 45.

42. Although by late April there had been reports of 152 "probable deaths"[94] in Mexico, the WHO had received reports of only 7 confirmed deaths as of April 29 and explicitly denied the larger figure.[95][96]

43. Mexico's Health Secretary declared that around 100 early suspected deaths from swine flu could not be confirmed because samples were not taken.[5]

44. Cases were first discovered in the U.S. and officials soon suspected a link between those incidents and an earlier outbreak of late-season flu cases in Mexico. Within days hundreds of suspected cases, some of them fatal, were discovered in Mexico, with yet more cases found in the U.S. and several other countries in the Northern Hemisphere. Soon thereafter, the U.N.'s World Health Organization (WHO), along with the U.S. Centers for Disease Control and Prevention (CDC), expressed concern that the A(H1N1) could become a worldwide flu pandemic, and WHO then raised its pandemic disease alert level to "Phase 5" out of the six maximum, as a "signal that a pandemic is at the imminent level".

45. According to a Summary of latest H1N1 developments in the United States by Alexander S Jones May 19, 2009

A) H1N1 may have killed an infant in New York who developed cyanosis with rapid progression to death. This is an ominous parallel to 1918. This suggests viral pneumonia, but we have no confirmation. Whether this is from the New York 'consensus strain' or a new recombinant, mutant, or reassortant is unknown at this time.

http://www.flutrackers.com/forum/showthread.php?t=105092
http://www.myfoxny.com/dpp/health/swine_flu/090519_second_possible_death_from_swine_flu_in_new_york_city

B) Dr. Niman has estimated there are currently 1 - 10 million infections in the United States. This matches my own assessment. With a case fatality rate of 0.1%, we can expect 1000 - 10000 deaths -- although it has become clear at this point the authorities are covering up the spread of the virus. With a case fatality rate of 0.4%, we can expect 4000 - 40000 deaths.

http://www.recombinomics.com/News/05180901/Swine_H1N1_Japan_6.html

C) H1N1 is rapidly spreading in schools. The articles I have pasted below are only the tip of the iceberg -- this is across the country at this point.

Lowell had 123 students call in sick Monday and sent another 71 home with fevers and other flu-like symptoms, the representative said

http://www.flutrackers.com/forum/showthread.php?t=105174

http://www.bizjournals.com/phoenix/stories/2009/05/18/daily24.html

The Dana Hall School in Wellesley has been shuttered for the next week after nearly 100 students and staff called in sick with fevers, sore throats, and other flu-like systems.

A spokeswoman for Dana Hall School in Wellesley said Tuesday there is no indication that swine flu is what prompted 90 students and eight faculty and staff members to call in sick on Monday, but the move was made after consulting with state and local public health officials.

A spokeswoman for the state Public Health Department says there are no confirmed swine flu cases at the school and no one associated with the school is being tested for the disease.

http://www.flutrackers.com/forum/showthread.php?p=235635#post235635
http://www.boston.com/yourtown/news/wellesley/2009/05/flu_closes_dana_hall_school_in.html
http://www.bostonherald.com/news/regional/view/2009_05_19_Wellesley_school_closes_after_rash_of_illnesses/srvc=home&position=recent
D) There has been a death from a possible lethal coinfection, a dangerous event suggesting worse is to come -- see the case of the death from pneumonia of an oil platform worker who tested positive for multiple strains of the flu.

Possible Swine Flu Death in Little Rock

Reported by: KARK 4 News

Monday, May 18, 2009

The death of a 28-year-old man in a Little Rock hospital over the weekend could be linked to the H1N1 virus better known as Swine Flu.

That's according to Pulaski County Coroner Garland Camper , who tells KARK 4 that the man's autopsy revealed he had suffered from more than one strain of flu. Camper calls that "somewhat unusual."

Camper says the man was an offshore oil worker who had been in the hospital with flu-like symptoms, and had reportedly been ill for weeks.

http://arkansasmatters.com/content/fulltext/news/?cid=222431

E) Data has become available from case studies in California , from H1N1 hospitalizations.

15/25 patients have lung infiltrates, almost half have vomiting... this is somewhat disturbing.

The best predictive symptoms based on this data are:

1) Fever (97%)
2) Cough (77%)
3) Lung infiltrates (60%)
4) Vomiting (46%)
5) Shortness of breath (43%)

#3 and #4 are unusual for influenza
http://www.flutrackers.com/forum/showthread.php?p=235601#post235601

F) An article in Science from last week estimated the H1N1 case fatality rate is 0.4% -- four times higher than seasonal flu.

http://www.eurekalert.org/pub_releases/2009-05/icl-sfe051109.php
G) The ER in New York has become overwhelmed with patients -- on Tuesday, seeing double the number of children who present with respiratory symptoms.

Alan D. Aviles, the president of the city’s Health and Hospitals Corporation, said that emergency admissions were running about 50 percent higher than usual for adults and “more than 100 percent above average” for children.

http://www.flutrackers.com/forum/showpost.php?p=235577&postcount=23
http://cityroom.blogs.nytimes.com/2009/05/19/toddlers-death-stokes-flu-concerns/?hp

46. "The first case was seen in Mexico on April 13. The outbreak coincided with the President Barack Obama’s trip to Mexico City on April 16. Obama was received at Mexico’s anthropology museum in Mexico City by Felipe Solis, a distinguished archeologist who died the following day from symptoms similar to flu, Reforma newspaper reported. The newspaper didn’t confirm if Solis had swine flu or not. "
http://www.bloomberg.com/apps/news?pid=20601087&sid=aEsNownABJ6Q&refer=worldwide

47. The Paris-based World Organization for Animal Health (OIE) said April 27th that virus currently circulating in Mexico and the United States and which has killed at least 20 people had

never been found before in any animal and was completely new. "The virus has not been isolated in animals to date. Therefore, it is not justified to name this disease swine flu," the OIE said in a press statement.
The virus "includes in its characteristics swine, avian and human virus components," the OIE said, and urged that it be called "North American influenza," after its geographic origin.
The OIE said it was "urgent" that scientific research be carried out to determine the susceptibility of animals to what it said was a "new virus."

48. The new strain is an apparent reassortment of four strains of influenza A virus subtype H1N1.[64] Analysis by the CDC identified the four component strains as one endemic in humans, one endemic in birds, and two endemic in pigs (swine).

49. Alexander S Jones, former employee the NIH, has analyzed the genome sequence of the virus and concluded we “must seriously consider a laboratory origin for this virus”.

“BLAST sequence homology of 'swine flu' indicates both the Hemagglutinin

(HA) surface protein as well as the Non-structural (NS1) interferon

Inhibition proteins are novel recombinants previously unidentified in nature.

Both these influenza proteins, based on the genetic sequences released Friday May 1st by the U.S. Centers of Disease Control (CDC), share their closest genetic identity with turkey (avian) and pig (swine) strains from multiple continents including North America as well as Asia. Even the closest matches indicate 5% previously unidentified genetic material.

I submit this evidence, coupled with the lack of the presence of this virus at the pig farm near the proposed CDC's "patient zero" (a 5 year old from La Gloria, 80km away from the pig farm in Perote, Mexico), shows that the origin of the flu outbreak remains unidentified at this time, and cannot be ascribed to Mexican or North American swine.

Furthermore, I submit that since 5% of both these influenza A RNA sequences share no known homology in any public databases (in addition to the avian/swine hybrid nature of both these critical genes), that we must seriously consider a laboratory origin for this virus.

Future research that may be promising includes identifying critical SNPs, especially in the PB2 and the NS1 coding

regions which may be markers for evolution of pathogen virulence, and should be closely monitored. The hemagglutinin protein should also be monitored for acquisition of a poly-basic amino acid site which would give the virus pantrophic properties as in the 1918 pandemic. "(Alexander S Jones)

50. The World Health Organization on May 11 said leading vaccine producers including Baxter, Novartis, GlaxoSmithKline and Sanofi-Aventis had requested "wild type virus" samples of the A (H1N1) or swine flu virus. MedImmune, which is now part of AstraZeneca, Baxter, CSL and Solvay are also being sent samples, as are smaller developers Microgen, Nobilon International, Omnivest Vaccines and Vivaldi. The WHO is co-coordinating scientific discussions over the virus, and has said that, within the next few weeks, it is likely to make a recommendation on whether and how to produce a pandemic vaccine.

Evidence that the “swine flu“ virus and vaccines are components of a covert bioweapons system

51. The “bird flu” has been classified by the United States government in its own export regulations as a biological weapon, and there are grounds for believing the “swine flu”, likewise, is a bioengineered virus and a component of a biological weapons system as defined by Section 175 (a) of BWATA designed, like the “bird flu”, to deliver toxins and microorganisms so as to deliberately inflict disease on death on people while being disguised as injections for prophylactic, protective, or other peaceful purposes.

52. Commerce Department regulations supplement listing pathogens whose vaccines are subject to export restrictions for countries classified as sponsors of terrorism (see pages 57-60, 70)
http://www.access.gpo.gov/bis/ear/pdf/ccl1.pdf

53. The United States bars the export of vaccines for the bird flu, smallpox, yellow fever, and many other pathogens to five countries classified as sponsors of terrorism.

Under Department of Commerce rules, a long list of vaccines for viruses, bacteria, and biological toxins cannot be exported to Cuba, Iran, North Korea, Sudan, and Syria unless they obtain a special export license, which can take weeks.

The list of pathogens subject to the rules includes viruses that cause dengue fever, Ebola fever, Marburg fever, Rift Valley fever, and monkeypox. A list of animal pathogens covered by the restrictions includes highly pathogenic bird flu viruses. Bacterial pathogens on the restricted list include anthrax and the microbes that cause tularemia and plague. Not on the list are the causes of common vaccine-preventable diseases, such as measles, mumps, rubella, chickenpox, and seasonal influenza.

54. The Associated Press reported: “Deep inside the *United States export regulations is a single sentence that bars U.S. exports of vaccines for avian bird flu and dozens of other viruses to five countries designated "state sponsors of terrorism."*

http://news.yahoo.com/s/ap/20081011/ap_on_re_as/as_bird_flu_biological_warfare;_ylt=An9WoLAijbbjeNwhYV6N98Ws0NUE
US controls bird flu vaccines over bioweapon fears
By ROBIN McDOWELL, Associated Press Writer Sat Oct 11, 7:14 AM ET
When Indonesia's health minister stopped sending bird flu viruses to a research laboratory in the U.S. for fear

Washington could use them to make biological weapons, Defense Secretary Robert Gates laughed and called it "the nuttiest thing" he'd ever heard.
Yet deep inside an 86-page supplement to United States export regulations is a single sentence that bars U.S. exports of vaccines for avian bird flu and dozens of other viruses to five countries designated "state sponsors of terrorism."
The reason: Fear that they will be used for biological warfare.

55. These documents establish that the the United States government views vaccines as tools of biological warfare.

56.Furthermore, Ex-HHS Secretary Mike O. Leavitt refused to provide BIRD FLU VACCINES created by contract with Sanofi-Pasteur to rogue "terrorist" nations like Iran, North Korea, and Syria solely because the VACCINE could be used as a "BIOLOGICAL WEAPON" by "terrorist nations". (See http://crooksandliars.com/node/23360/print)

57. Leavitt recently declared that a pandemic is "nature's terrorist". (See http://news.yahoo.com/s/ap/20090509/ap_on_he_me/med_swine_flu_pivotal_moments) and http://www.federalnewsradio.com/?nid=35&sid=1670164. Here we have ex-HHS secretary Leavitt, declaring that a pandemic is a useful form of "terrorism".

58. Since untested, untried, and potentially lethal "experimental vaccines" are restricted as "biological weapons" from distribution to "rogue nations", why even contemplate forcing the same "vaccine" onto American citizens? The only purpose for forcing American citizens to take these vaccines can be to cause death and injury under the guise of employing them for peaceful purposes because these vaccines are according to the United States government’s own regulations so dangerous they have to be kept out of the hands of “terrorist nations” for fear they might use them in a terrorist attack.

59. Any group of American, dual- American citizens or citizens of other countries who knowingly develops, produces, stockpiles, transfers, acquires, retains, or possesses any biological agent, toxin, or delivery system for use as a weapon against the people of Anerica, or knowingly assists a foreign state or any organization to do so, also employing deceit and fraudulent misrepresentation violates BWATA (see Attachment 1).

“Section 175: Prohibitions with respect to biological weapons
(a) IN GENERAL- Whoever knowingly develops, produces, stockpiles, transfers, acquires, retains, or possesses any biological agent, toxin, or delivery system for use as a

weapon, or knowingly assists a foreign state or any organization to do so, shall be fined under this title or imprisoned for life or any term of years, or both. There is extraterritorial Federal jurisdiction over an offense under this section committed by or against a national of the United States.”

60. The Act broadly defines several terms related to biological warfare of vector, toxin, biological agent and delivery system.

61. The “swine flu” virus fits the BWATA definition of a biological agent to be classified as a bioweapon as:

any micro-organism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any such microorganism, virus, infectious substance, or biological product, capable of causing death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism; deterioration of food, water, equipment, supplies, or material of any kind or deleterious alteration of the environment

62. The “swine flu” has killed and injured people in the United States alone and so meets the BWATA of a toxin:

- “Toxin: "whatever its origin or method of production -- any poisonous substance produced by a living organism; or any poisonous isomer, homolog, or derivative of such a substance".

63. The forced injections of the population of toxins under guise of offering prophylactic treatment are the delivery system as defined by BWATA and the vaccination process itself will release a fully weaponized virus:

- “Delivery system: "any apparatus, equipment, device, or means of delivery specifically designed to deliver or disseminate a biological agent, toxin, or vector".

64. Constituting the vector as defined by BWATA are the people of the United States, and other countries, who will be injected by force en masse with disease producing microorganisms, and so allow the virus to mutate and develop into more lethal strains.

- “Vector: "a living organism capable of carrying a biological agent or toxin to a host".”

65. There is clear evidence that the “swine flu” virus is a bioengineered virus.

66. Evidence comes from the Paris-based World Organization for Animal Health (OIE), which said on April 27th the virus currently circulating in Mexico and the United States and which has killed at least 20 people is not swine flu, the

"The virus has not been isolated in animals to date. Therefore, it is not justified to name this disease swine flu," the OIE said in a press statement.

67. The virus "includes in its characteristics swine, avian and human virus components," the OIE said, and urged that it be called "North American influenza," after its geographic origin.

68. The OIE said it was "urgent" that scientific research be carried out to determine the susceptibility of animals to what it said was a "new virus."

69. Also, Adrian Gibbs, the Australian virologist, who was one of the first to analyse the genetic construction of the swine flu virus, and who was part of the team which developed anti-flu vaccines Tamiflu and Relenza, believes the disease - which has spread across the world in recent weeks – was made in laboratories.

Gibbs and two colleagues analyzed the publicly available sequences of hundreds of amino acids coded by each of the flu virus’s eight genes. He said he aims to submit his three-page paper today for publication in a medical journal.

70. The World Health Organization has been forced to investigate the claim by the Australian researcher that the swine flu virus circling the globe may have been created as a result of human error, according to a report on May 13 (Bloomberg) --

http://www.bloomberg.com/apps/news?pid=20601124&sid=aShZig0Cig

4g.

71. Andrew Rambaut, a viral geneticist at the University of Edinburgh, has said: “The new neuraminidase gene that came in from Eurasian swine is one we’ve never before seen circulating in humans,”

“This is what we call a reassortment between two currently circulating pig flu viruses,” he said. “Why it’s emerged in humans is anyone’s guess. It hasn’t been seen before in pigs as far as I know.”

http://www.wired.co.uk/news/archive/2009-04/29/swine-flu-genes-from-pigs-alone.aspx

72. Mexico's top government epidemiologist said Wednesday that it is "highly improbable" that a farm in the Mexican state of Veracruz operated by Smithfield Foods Inc. is responsible for the nation's swine-flu outbreak.

Miguel Ángel Lezana, the government's chief epidemiologist, said in an interview that pigs at the farm are from North America, while the genetic material in the virus is from Europe and Asia.
http://online.wsj.com/article/SB124105320874371313.html

73. Dr Leonard Horowitz states in a 10.41 mins YouTube clip that the swine-bird-human flu strain in Mexico could have only come from Dr James S Robertson and colleagues because: "nobody else takes H5N1 Asian-flu infected chickens, brings them to Europe, extracts their DNA, combines their proteins with H1N1 viruses from the 1918 Spanish flu isolate, additionally mixes in some swine flu genes from pigs, then reverse engineers them to infect humans."

http://www.youtube.com/watch?v=GBeKB7aKzOs

74. In addition, Dr Horowitz indicates that there is hard evidence to show that Dr James Robertson believes it is OK to prime populations worldwide by releasing viruses he and his colleagues are creating in advance of a pandemic.

75. Dr Horowitz mentions the involvement of Dr Rick Bright who has ties to the WHO, the CDC and Novovax Inc, and is involved in PATH - Influenza Vaccine Project in the Vaccine Development Global Program.

76. An analysis of the “swine flu” genome sequence by Alexander S Jones indicates that 5% of both these influenza A RNA sequences share no known homology in any public databases (in addition to the avian/swine hybrid nature of both these critical genes), and so a laboratory origin for this virus must be seriously considered.

77. “Influenza A virus (A/Texas/04/2009(H1N1)) segment 8 nuclear export protein (NEP) and nonstructural protein 1 (NS1) genes, complete cds
http://www.ncbi.nlm.nih.gov/nuccore/FJ981620

==

HA ("hemaglutinin") protein BLAST sequence homology
Accession
Description

Max score
Total score
Query coverage
E value
Max ident
Links

FJ981615.1
Influenza A virus (A/Texas/04/2009(H1N1)) segment 4 hemagglutinin (HA)
gene, complete cds
3142 3142 100% 0.0 100%

FJ981612.1
Influenza A virus (A/Texas/04/2009(H1N1)) segment 4 hemagglutinin (HA)
gene, complete cds
3142 3142 100% 0.0 100%

FJ966982.1
Influenza A virus (A/Texas/04/2009(H1N1)) segment 4 hemagglutinin (HA)
gene, complete cds
3142 3142 100% 0.0 100%

FJ966959.1
Influenza A virus (A/Texas/05/2009(H1N1)) segment 4 hemagglutinin (HA)
gene, complete cds
3142 3142 100% 0.0 100%

CY039527.1
Influenza A virus (A/Netherlands/602/2009(H1N1)) segment 4 sequence
3125 3125 99% 0.0 99%

FJ969511.1
Influenza A virus (A/California/10/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3125 3125 100% 0.0 99%

FJ966952.1
Influenza A virus (A/California/05/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3125 3125 100% 0.0 99%

FJ969509.1
Influenza A virus (A/New York/19/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3120 3120 100% 0.0 99%

FJ966960.1
Influenza A virus (A/California/06/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3120 3120 100% 0.0 99%

FJ981613.1
Influenza A virus (A/California/07/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3114 3114 100% 0.0 99%

FJ971076.1
Influenza A virus (A/California/08/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3114 3114 100% 0.0 99%

FJ966974.1
Influenza A virus (A/California/07/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3114 3114 100% 0.0 99%

FJ966082.1
Influenza A virus (A/California/04/2009(H1N1)) segment 4 hemagglutinin
(HA) gene, complete cds
3109 3109 100% 0.0 99%

FJ969540.1
Influenza A virus (A/California/07/2009(H1N1)) segment 4 hemagglutinin

(HA) gene, complete cds
3107 3107 100% 0.0 99%

FJ973557.1
Influenza A virus (A/Auckland/1/2009(H1N1)) segment 4
hemagglutinin
(HA) gene, partial cds
2894 2894 92% 0.0 99%

AF455680.1
Influenza A virus (A/Swine/Indiana/P12439/00 (H1N2))
hemagglutinin
(HA) gene, complete cds
2710 2710 100% 0.0 95%

AF250124.1
Influenza A virus (A/Swine/Indiana/9K035/99 (H1N2)) segment 4
hemagglutinin (HA) gene, complete cds
2699 2699 100% 0.0 95%

AY038014.1
Influenza A virus (A/Turkey/MO/24093/99(H1N2)) hemagglutinin
(H1)
gene, complete cds
2682 2682 100% 0.0 95%

EU139828.1
Influenza A virus (A/swine/Minnesota/1192/2001(H1N2))
hemagglutinin
(HA) gene, complete cds
2676 2676 100% 0.0 95%

EF556201.1
Influenza A virus (A/swine/Guangxi/17/2005(H1N2))
hemagglutinin (HA)
gene, complete cds
2665 2665 100% 0.0 94%

AF455675.1
Influenza A virus (A/Swine/Ohio/891/01(H1N2)) hemagglutinin
(HA) gene,
complete cds
2660 2660 100% 0.0 94%

FJ974021.1
Influenza A virus (A/Regensburg/Germany/01/2009(H1N1)) segment
4
hemagglutinin (HA) gene, partial cds
2656 2656 84% 0.0 99%

AY060047.1
Influenza A virus (A/SW/MN/23124-T/01(H1N2)) hemagglutinin
(HA) gene,
complete cds
2654 2654 100% 0.0 94%

AY060050.1
Influenza A virus (A/SW/MN/16419/01(H1N2)) hemagglutinin (HA)
gene, complete cds
2643 2643 100% 0.0 94%

AY060048.1
Influenza A virus (A/SW/MN/23124-S/01(H1N2)) hemagglutinin
(HA) gene,
complete cds
2643 2643 100% 0.0 94%

AF455681.1
Influenza A virus (A/Swine/Illinois/100085A/01 (H1N2))
hemagglutinin
(HA) gene, complete cds
2638 2638 100% 0.0 94%

EF556199.1
Influenza A virus (A/swine/Guangxi/13/2006(H1N2))
hemagglutinin (HA)
gene, complete cds
2621 2621 100% 0.0 94%

AF455682.1
Influenza A virus (A/Swine/Illinois/100084/01 (H1N2))
hemagglutinin
(HA) gene, complete cds
2621 2621 100% 0.0 94%

EU139830.1
Influenza A virus (A/swine/Minnesota/00194/2003(H1N2))
hemagglutinin
(HA) gene, complete cds

2604   2604   100%   0.0   94%

EU139831.1
Influenza A virus (A/swine/Kansas/00246/2004(H1N2))
hemagglutinin (HA)
gene, complete cds
2560   2560   100%   0.0   93%

EU604689.1
Influenza A virus (A/swine/OH/511445/2007(H1N1)) segment 4
hemagglutinin (HA) gene, complete cds
2555   2555   100%   0.0   93%

AF455677.1
Influenza A virus (A/Swine/North Carolina/93523/01 (H1N2))
hemagglutinin (HA) gene, complete cds
2534   2534   100%   0.0   93%

DQ666933.1
Influenza A virus (A/swine/Korea/S11/2005(H1N2)) segment 4
hemagglutinin gene, complete cds
2518   2518   99%   0.0   93%

EU798780.1
Influenza A virus (A/swine/Korea/Hongsong2/2004(H1N2)) segment
4
hemagglutinin (HA) gene, complete cds
2488   2488   99%   0.0   93%

EU798781.1
Influenza A virus (A/swine/Korea/JL01/2005(H1N2)) segment 4
hemagglutinin (HA) gene, complete cds
2486   2486   99%   0.0   93%

EU798784.1
Influenza A virus (A/swine/Korea/Asan04/2006(H1N2)) segment 4
hemagglutinin (HA) gene, complete cds
2481   2481   99%   0.0   93%

NS1 ("non-structural") protein BLAST sequence homology

Sequences producing significant alignments:
(Click headers to sort columns)

Accession Description Max score Total score
Query coverage E
value Max ident Links
FJ981620.1
Influenza A virus (A/Texas/04/2009(H1N1)) segment 8 nuclear
export
protein (NEP) and nonstructural protein 1 (NS1) genes,
complete cds
1594 1594 100% 0.0 100%
FJ981611.1
Influenza A virus (A/Texas/05/2009(H1N1)) segment 8 nuclear
export
protein (NEP) and nonstructural protein 1 (NS1) genes,
complete cds
1594 1594 100% 0.0 100%
FJ969538.1
Influenza A virus (A/California/07/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
1589 1589 100% 0.0 99%
FJ969533.1
Influenza A virus (A/California/08/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
1589 1589 100% 0.0 99%
FJ969528.1
Influenza A virus (A/California/07/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
1589 1589 100% 0.0 99%
FJ969519.1
Influenza A virus (A/California/08/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
1589 1589 100% 0.0 99%
FJ969514.1
Influenza A virus (A/California/04/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
1589 1589 100% 0.0 99%
FJ971074.1

Influenza A virus (A/California/06/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
       1583   1583   100%   0.0   99%
FJ966966.1
Influenza A virus (A/Texas/05/2009(H1N1)) segment 8 nuclear
export
protein (NEP) and nonstructural protein 1 (NS1) genes,
complete cds
       1559   1559   97%   0.0   100%
FJ966086.1
Influenza A virus (A/California/04/2009(H1N1)) segment 8
nuclear
export protein (NEP) and nonstructural protein 1 (NS1) genes,
complete
cds
       1543   1543   97%   0.0   99%
EU735822.1
Influenza A virus (A/turkey/OH/313053/2004(H3N2))
nonstructural
protein 2 (NS2) and nonstructural protein 1 (NS1) genes,
complete cds
       1395   1395   100%   0.0   95%
EF551057.1
Influenza A virus (A/swine/North Carolina/2003(H3N2))
nonstructural
protein 2 (NS2) and nonstructural protein 1 (NS1) genes,
complete cds
       1389   1389   100%   0.0   95%
EF551049.1
Influenza A virus (A/turkey/Illinois/2004(H3N2)) nonstructural
protein
2 (NS2) and nonstructural protein 1 (NS1) genes, complete cds
       1389   1389   100%   0.0   95%
DQ150437.1
Influenza A virus (A/swine/IN/PU542/04 (H3N1)) nonstructural
protein
(NS1) gene, complete cds
       1389   1389   100%   0.0   95%
AF153262.1
Influenza A virus (A/Swine/Minnesota/9088-2/98 (H3N2)) segment
8 NS1
and NS2 genes, complete cds
       1386   1386   97%   0.0   96%
AF153261.1
Influenza A virus (A/Swine/Texas/4199-2/98 (H3N2)) segment 8
NS1 and
NS2 genes, complete cds
       1386   1386   97%   0.0   96%
AF342817.1

Influenza A virus (A/Wisconsin/10/98 (H1N1)) nonstructural
protein 1
and nonstructural protein 2 genes, complete cds
1384 1384 100% 0.0 95%
DQ335775.1
Influenza A virus (A/turkey/Ohio/313053/04(H3N2))
nonstructural
protein (NS) gene, complete cds
1384 1384 100% 0.0 95%
AF153263.1
Influenza A virus (A/Swine/Iowa/8548-1/98) segment 8 NS1 and
NS2
genes, complete cds
1380 1380 97% 0.0 96%
EU697208.1
Influenza A virus (A/turkey/Minnesota/366767/2005(H3N2))
nonstructural
protein 2 (NS2) and nonstructural protein 1 (NS1) genes,
complete cds
1378 1378 100% 0.0 95%
EU735830.1
Influenza A virus (A/turkey/NC/353568/2005(H3N2))
nonstructural
protein 2 (NS2) and nonstructural protein 1 (NS1) genes,
complete cds
1378 1378 100% 0.0 95%
DQ150429.1
Influenza A virus (A/swine/MI/PU243/04 (H3N1)) nonstructural
protein
(NS1) gene, complete cds
1378 1378 100% 0.0 95%
EU697213.1
Influenza A virus (A/turkey/North Carolina/353568/2005(H3N2))
nonstructural protein 2 (NS2) and nonstructural protein 1
(NS1) genes,
complete cds
1373 1373 100% 0.0 95%
AF250128.1
Influenza A virus (A/Swine/Indiana/9K035/99 (H1N2)) NS1 and
NS2 genes,
complete cds
1369 1369 97% 0.0 96%
AY038021.1
Influenza A virus (A/Turkey/MO/24093/99(H1N2)) nonstructural
protein
(NS) gene, complete cds, alternatively spliced
1363 1363 98% 0.0 95%
EU798872.1
Influenza A virus (A/swine/Korea/CAS09/2006(H3N2)) segment 8
nonstructural protein 2 (NS2) and nonstructural protein 1
(NS1) genes,
complete cds

1360   1360   97%   0.0   95%
AY060136.1
Influenza A virus (A/SW/IN/14810-S/01(H1N2)) nonstructural protein
(NS) gene, complete cds
1360   1360   97%   0.0   95%
AY060135.1
Influenza A virus (A/SW/IN/14810-T/01(H1N2)) nonstructural protein
(NS) gene, complete cds
1360   1360   97%   0.0   95%
AY060129.1
Influenza A virus (A/SW/MN/3327/00(H1N2)) nonstructural protein (NS)
gene, complete cds
1360   1360   97%   0.0   95%
AF455710.1
Influenza A virus (A/Swine/Minnesota/5“

78. Alexander S Jones concluded “we must seriously consider a laboratory origin for this virus” because 5% of both these influenza A RNA sequences share no known homology in any public databases.

79. “BLAST sequence homology of 'swine flu' indicates both the Hemagglutinin

(HA) surface protein as well as the Non-structural (NS1) interferon

Inhibition proteins are novel recombinants previously unidentified in nature.

Both these influenza proteins, based on the genetic sequences released Friday May 1st by the U.S. Centers of Disease Control (CDC), share their closest genetic identity with turkey (avian) and pig (swine) strains from multiple continents including North America as well as Asia. Even the closest matches indicate 5% previously unidentified genetic material.

I submit this evidence, coupled with the lack of the presence of this virus at the pig farm near the proposed CDC's "patient zero" (a 5 year old from La Gloria, 80km away from the pig farm in Perote, Mexico), shows that the origin of the flu outbreak remains unidentified at this time, and cannot be ascribed to Mexican or North American swine.

Furthermore, I submit that since 5% of both these influenza A RNA sequences share no known homology in any public databases (in addition to the avian/swine hybrid nature of both these

critical genes), that we must seriously consider a laboratory origin for this virus.

Future research that may be promising includes identifying critical SNPs, especially in the PB2 and the NS1 coding regions which may be markers for evolution of pathogen virulence, and should be closely monitored. The hemagglutinin protein should also be monitored for acquisition of a poly-basic amino acid site which would give the virus pantrophic properties as in the 1918 pandemic. "(Alexander S Jones)

<u>Evidence as to the deliberate release of the "swine flu" virus in Mexico</u>

80. Virologist Adrian Gibbs said that the "swine flu" was leaked from a lab and, interestingly, Baxter has large-scale production and research facilities close to Mexico City, where the outbreak of the "swine flu" occurred.

81. The "mysterious origin" of the swine flu was underlined by the Mexico's Chief Epidemiologist M.A. Lezana, who said that among the first mortalities was a Bangladeshi born street vendor in Mexico City who fell ill in early April. The man is said to have met his brother in Merida, Yucatan in early April and returned to Mexico City before he died. The assertion is that the brother, a Bangladeshi or a Pakistani, was also ill.

(http://ahrcanum.wordpress.com/2009/05/05/baxter-pharmaceutical-plant-in-mexico-ground-zero-for-flu-outbreak/)

82. Edgar Hernandez of La Gloria fell ill with a fever and headache in early April according to his mother Maria del Carmen Hernandez. His mom took him for healthcare, and he recovered swiftly. The Financial Times timeline says it was April 2.

83. Mexican officials confirm that Edgar Hernandez did carry the A/H1N1 virus, but they have not confirmed any other resident did or does. No one else in Edgar's family got sick at all. A state public health doctor says, *"We just don't know how he (Edgar) got sick. Maybe it was a genetic accident of some kind."*

84. Also, the Financial Times timeline points to a La Gloria health official requesting assistance in February for an outbreak of an acute respiratory disease; and on April 6 there was a health alert in La Gloria with 400 seeking medical treatment.

85. How did Edgar Hernandez become positive if not for the pigs of La Gloria? And why cannot Smithfield find the A/H1N1 in one million pigs – all of whom will be slaughtered soon enough unless that Bangladeshi subplot fleshes out. More soon.

86. One thought from http://www.naturalnews.com/026141.html notes," it is astonishing to realize, because for this to have been a natural combination of viral fragments, it means an infected bird from North America would have had to infect pigs in Europe, then be re-infected by those same pigs with an unlikely cross-species mutation that allowed the bird to carry it again, then that bird would have had to fly to Asia and infect pigs there, and those Asian pigs then mutated the virus once again (while preserving the European swine and bird elements) to become human transmittable, and then a human would have had to catch that virus from the Asian pigs – in Mexico! – And spread it to others in order to assist the World Health Organization in developing a new vaccine, reaping billions in the process. "

87. Just 50 miles from the H1N1 ground zero outbreak in Mexico City, lies Baxter's manufacturing plant in Cuernavaca, Mexico. It was named one of the 10 Best Plants in North America for 2008 by Industry Week magazine. http://www.baxter.com/about_baxter/news_room/news_releases/2008/12_19_08_industryweek.html

88. The plant manufactures, "Water for Injection, Devices Medical, Premixes Formulations," according to http://www.alibaba.com/member/juanbaxter/aboutus.html. What else do they manufacture there? What kind of water gets injected? Germ Warfare? Bio Hazards? Virus Mutations? Vaccines? Cures or Causes?

89. Baxter's subsidiary in Austria was also responsible for releasing 72 kilgorams of contaminated bird flu material.

90. Baxter has admitted to the deliberate contamination of heparin and mislabeled, recalled doses of Heparin.
Baxter recalled one lot of a product that hospitals use to treat burn victims and patients in shock after a test found a rare form of HIV in the plasma used to make the product. HIV-2 in plasma!
http://www.aegis.org/news/ct/2001/CT010716.html. Baxter also manufactures a vaccine against tick-borne encephalitis (TBE) and a vaccine against group C meningococcal meningitis.
http://www.baxtervaccines.com/?node_id=312 , in addition to other pharmaceutical products, anesthetic's, pumps, etc.
http://www.ecomm.baxter.com/ecatalog/browseCatalog.do?lid=10001&cid=10016

The National Autonomous University of Mexico (UNAM) has a satellite campus located in Cuernavaca, which is aimed at research and graduate studies. It also has an undergraduate program in genomics.

91. Cuernavaca is the home of the following research centers: Center for Genomic Sciences (UNAM),[3] the Institute of Biotechnology (UNAM),[4] the Institute of Physical Sciences (UNAM),[5] the Center for research in Energy (UNAM), the Institute of Mathematics (UNAM), the Center for Research in Engineering and Applied Sciences (UAEM),[6] and the National Institute of Public Health. Cuernavaca has the highest concentration of scientists and researchers in Latin America. -WIKI http://en.wikipedia.org/wiki/Cuernavaca Cuernavaca is certainly a who’s who in genetics and research.

Evidence as to the role of Baxter as a covert dual purpose bioweapons developer and producer.

92. Baxter Pharmaceutical http://www.baxter.com/ has been chosen by the WHO to lead the efforts in finding a vaccine cure for the swine flu H1N1 virus.

93. This in spite of the fact that Baxter AG, headquartered in Vienna, and the Austrian subsidiary of the pharmaceutical company Baxter International, headquartered in Deerfield, IL, USA, sent vaccine material contaminated with deadly live H5N1 bird flu virus to 16 laboratories in four countries in winter 2009 before a technician caught the mistake.

94. According to Austrian Health Minister Alois Stöger , 72 kilograms of vaccine material was contaminated.

http://www.parlament.gv.at/PG/DE/XXIV/AB/AB_01457/fnameorig_158854.html Parliamentary answers 1457/AB (XXIV. GP) May 20th, 2009,

Fragen 14 und 15:

Das für Forschungszwecke bestimmtes Material -72 kg waren als kontaminiert anzusehen - wurde in die Firma zurück geholt und kontrolliert vernichtet.“

95. It is still not clear how 72 kilograms of the world’s deadliest bioweapon can be sent by accident from a high biosecurity facilities, not irradiated and under a false label.

96. However, we know from Baxter itself that it produced the 72 kilograms contaminated material using a wild type live bird flu virus obtained from the WHO reference center.

http://www.promedmail.org/pls/otn/f?p=2400:1001:53103::NO::F2400_P1001_BACK_PAGE,F2400_P1001_PUB_MAIL_ID:10001,76322

„A statement on behalf of Baxter

I would like to provide the following update to a posting on ProMED
dated 25 Feb 2009 (Avian influenza, accidental distribution - Czech
Rep. ex Austria: RFI).

The H5N1 strain was the A/Vietnam/1203/2004 strain, received from a
WHO reference centre. All information concerning this incident has
been provided to the involved national authorities and appropriate
international bodies such as ECDC and WHO.

--
Christopher Bona
Director, Global BioScience Communications
Corporate Communications
Baxter International Inc.
One Baxter Parkway
Deerfield, IL 60015
<christopher_bona@baxter.com>

97. Also, Baxter is the only flu vaccine manufacturer to work with wild type flu viruses, felt to be more dangerous than the altered and attenuated (weakened) viruses other manufacturers use.

http://chealth.canoe.ca/channel_health_news_details.asp?news_id=27436&news_channel_id=1020&channel_id=1020

98. The Austrian police have launched an investigation into the incident that almost triggered a global pandemic. The mixture of the deadly H5N1 virus with a mix of H3N2 seasonal flu viruses is classified as one of the most deadly bioweapons in the world with a mortality rate of 63 per cent.

99. So, with the Baxter incident in Austria, there is proof that Baxter not only created the disease producing microorganisms with help from WHO, but also distributed them in large quantities to trigger a pandemic, while positioning themselves to produce the vaccine allegedly to "protect" against the virus they created and released, but which,so it

is alleged, is actually a disguised way of spreading the biological agent and creating a pandemic.

100. In criminal charges filed against Baxter on April 8th, 2009 at the Vienna City Prosecutor's office, Landesgerichtstr 11, 1080 Vienna, Austria by Jane Burgermeister, a resident of Vienna, Austria, it was alleged that Baxter unlawfully, wilfully and knowingly, in the period between December 2008 and February 2009, employed manipulative and deceptive devices and contrivances in violation of national and international laws on the manufacturing, possession, release and dissemination of biological weapons of mass destruction and on organised crime, to manufacture and distribute a biological agent that is classified as a bioweapon among the population in order to profit from the pandemic.

101. First, Baxter manufactured influenza material contaminated with a bird flu virus in its biomedical research laboratories in Orth on the Danube in December 2008.

102. Baxter uses BSL 3 (Biosafety Level 3) precautions in its laboratories, a system for the safe-handling of toxic substances, which makes an accidental contamination of ordinary flu material with the dangerous bird flu virus virtually impossible.

103. The 72 kilograms of contaminated vaccine material contained a mixture of a seasonal H3N2 human influenza virus and the deadly bird flu H5N1 virus. By adding a virus of the type H5N1 to an ordinary flu virus of the type H3N2, The H5N1 virus is restricted in its human-to-human transmissibility, especially because it is less airborne. However, when it is combined with seasonal flu viruses, which are airborne and easily spread, a new bioweapon is created.

104. Second, Baxter distributed via Avir this contaminated vaccines using false concealment and a false label to 16 laboratories in Austria and in other countries at the end of January/beginning of February, potentially infecting at least 36-37 laboratory staff, who had had to be treated preventively for bird flu and ordinary flu in hospital.

105. A total of 18 laboratory staff belonging to Avir had to undergo preventative treatment for the bird flu and ordinary flu at the Otto Wagner Hospital in Vienna on February, 9th, 2009, because of their exposure as part of their work to the highly pathogenic bird flu virus.

106. This indicates that, in the opinion of medical experts, there was a risk that the staff of Avir had contracted bird flu, and, unknowingly, acted as carriers of a pandemic virus

into the population of a densely built up Vienna city district and in winter time.

107. The material was only discovered when staff working for Biotest (in Konarovice in the Czech Republic), tested the vaccination on ferrets, who then died.

108. Biotest was supposed to test anti-flu vaccination that should serve Europeans during the next flu season, and the labels on the material sent to them from Baxter via Avir gave no indication of the lethal contents.

109. The 13 BioTest staff were treated with Tamiflu and were placed in quarantine for fear they had been contaminated with the bird flu virus, which is on the list of the possible biological weapons and one of the most dangerous biological agents on the Earth with more than 60% death rate.

120. Subsequently the same problem of the Baxter vaccine contamination with H5N1 was found in the laboratories in Slovenia, Austria and Germany, who had received the material from Baxter.

121. First the company Baxter evoked the 'trade secret" and refused to explain how exactly how a Level 3 biological warfare pathogen found its way into H3N2 material, regardless whether or not this experimental vaccine material was 'intended' for eventual use in humans or not.

122. Baxter representatives have said that the material sent to the Czech republic, Austria, Slovenia and Germany was in fact a pure H5N1 sent by accident - maybe to mask the previous assumption, that it was in fact an ordinary flu vaccine, which was contaminated. It is still not clear whether it was in fact the pure H5N1 or contaminated vaccine.

123. The Austrian Health Minister Alois Stöger confirmed on May 20th 2009 that the 72 kilograms of contaminated vaccine material has been destroyed, but no information has been released as to the genetic sequences of the contaminated material or what Clade was Baxter's H5N1 vaccine from, whether from Clade 1? Clade 2? Clade 3? Other?

124. Therefore, it is not possible to know whether H5N1 resembles the strains circulating in waterfowl.

Was the contaminated H5N1 strain genetically engineered? If so, by whom? Does the NS protein in Baxter's H5N1 material contain polymorphisms which suppress human interferon production? Was Baxter's H5N1 a full set of influenza genes? Or was it just the hemaglutanin and neuraminidase? Did Baxter's H5N1 contain a poly-basic cleavage site on the

Hemaglutanin surface protein? Why were the samples of experimental vaccine material not irradiated?

125. Coinfection of H5N1 and H3N2 would not produce simple reassortment but a complex in vivo recombination of many competing strains in the infected host.

126. Furthermore the complex coinfection of H5N1 and H3N2 in a human would produce natural selection pressure for maximum virulence.

127. The book "Evolutionary Dynamics" suggest that viral coinfection selects for both maximum virulence and infectivity.

128. How close the world came to a pandemic is underlined by the reaction of Panasonic Japan.

On February 9th – on the very same day as 18 employees of Avir were given preventative treatment for the bird flu in the Otto Wagner Hospital in Vienna – AFP reported that Panasonic Japan intended to bring back to Japan the families of many of its staff working around the world because of the threat of a bird flu pandemic.

“Panasonic to fly home workers’ families over bird flu fears
Feb 9, 2009

TOKYO (AFP) — Panasonic Corp. has ordered Japanese employees in some foreign countries to send their families home to Japan in preparation for a possible bird flu pandemic, a spokesman said Tuesday.”

The firm decided to take the rare measure “well ahead of possible confusion at the outbreak of a global pandemic,” he said.

129. The Times of India reported on March 6th, 2009, that a pandemic was nearly triggered as a result of Baxter’s actions. http://timesofindia.indiatimes.com/Health--Science/Science/Virus-mix-up-by-lab-could-have-resulted-in-pandemic/articleshow/4230882.cms

“It's emerged that virulent H5N1 bird flu was sent out by accident from an Austrian lab last year and given to ferrets in the Czech Republic before
anyone realised. As well as the risk of it escaping into the wild, the H5N1 got mixed with a human strain, which might have spawned a hybrid that could unleash a pandemic.

Last December, the Austrian branch of US vaccine company Baxter sent a batch of ordinary human H3N2 flu, altered so it

couldn't replicate, to Avir Green Hills Biotechnology, also in Austria. In February, a lab in the Czech Republic working for Avir alerted Baxter that, unexpectedly, ferrets inoculated with the sample had died. It turned out the sample contained live H5N1, which Baxter uses to make vaccine. The two seem to have been mixed in error.

Markus Reinhard of Baxter says no one was infected because the H3N2 was handled at a high level of containment. But Ab Osterhaus of Erasmus University in the Netherlands says: "We need to go to great lengths to make sure this kind of thing doesn't happen."

Accidental release of a mixture of live H5N1 and H3N2 viruses could have resulted in dire consequences.“

130. It needs to be stressed that the bird flu virus was developed in US military laboratories from 1995 onwards by researchers who reconstructed the genetic code of the Spanish Flu pandemic virus of 1918-1919.

131. So, using the argument that they need to find an antidote to the lethal bird flu virus, researchers have actually resurrected this lethal bird flu virus and created the danger in the first place, and with funds provided by organisations such as WHO.

132. “Reviving the Spanish Flu virus is a recipe for a catastrophe. It could put any attack using anthrax or the plague in the shade, “ said Jan van Aken, head of the German section of the Sunshine Project.

133. In the summer of 2008, US researchers found that this newly reconstructed lethal bird flu virus could be mixed with ordinary human flu virus in laboratory conditions and so, in theory, could acquire easy human-to-human transmissibility.

134. It was precisely this very virus, a mix of a lethal H5N1 bird flu virus and an ordinary human flu H3N2 virus that Baxter manufactured in its laboratory in Orth/Donau in December 2008, and then distributed via Avir to 16 laboratories in Austria and abroad employing fraudulent misrepresentation.

The Canadian Press explains the issue:

“While H5N1 doesn’t easily infect people, H3N2 viruses do. If someone exposed to a mixture of the two had been simultaneously infected with both strains, he or she could have served as an incubator for a hybrid virus able to transmit easily to and among people.“

135. According to media reports, Dr Rebecca Carley maintained in March 2009 that this was a deliberate attempt to start a pandemic.

“Basically, they’re trying to cause the pandemic. They have already stockpiled at least 250 million doses of the bird flu vaccine. The shelf life of that vaccine has a certain amount of time by which they’ll have to throw it in the garbage. So they have to start the pandemic so that they can give the vaccines, which will then cause the bird flu pandemic…In fact, this is an associated press article that says that our government is reluctant to give bird flu vaccine to some of the rogue nations for fear they will use the vaccine as biological warfare. So when you actually look at what’s out there, folks, it becomes crystal clear. This is genocide. This is population reduction. And it’s happening right now. “

“Well, let me also state that this is very intentional because the H5N1 bird flu virus is not actually able to be picked up by humans in a regular scenario. So by putting it with a regular human flu, they’re intentionally causing it to create a hybrid virus. And this is how they’re going to make the bird flu virus be contracted by the people because it’s very virulent. And basically, the scenario that it creates is very disturbing. You actually bleed out into your lungs and suffocate on your own blood. “

136. It was alleged in the criminal charges filed against Baxter in Austria that the “bird flu” incident was an attempt by international corporate criminal syndicate to release coinfected H5N1 and H3N2 material upon the world population, provoke a pandemic using vaccination against the flu to spread the disease as happened with the anti-B hepatitis when vaccinations contained the HIV virus in US - and then cash in on the demand for vaccines against the bird flu which Baxter develops.

137. Moreover, it has been alleged that the specific production system which Baxter has developed with help of US government bodies for producing a human vaccination to the bird flu – namely, the use of 1,200 liter bioreactors and vero cell technology – could meet the technical criteria to be classified as a secret dual purpose large-scale bioweapon production facility in as far as the production process would allow a huge amount of contaminated vaccine material to be produced rapidly.

138. Vero cells are a continuous cell line derived from epithelial cells of the African green monkey kidney used to make live polio vaccines and also to promote the spread of AIDS.

Green monkeys are used in medical research.

http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?cmd=Retrieve&db=PubMed&list_uids=1... concerns viruses in African green monkeys.

http://www.pubmedcentral.nih.gov/articlerender.fcgi?artid=190510&rendertype=abst... states that kidney cells of green monkeys can be used as hosts to cultivate influenza viruses.

http://www.ippl.org/Jasmine.htm states that monkeys can carry diseases that can make humans sick or, at worse, can kill them. Monkeys can catch most human diseases.
http://www.sfbr.org/pages/news_release_detail.php?id=47 concerns work by Jonathan Allan to determine the link between African green monkeys and AIDS. Over 50% of the monkeys carry SIV – the simian version of HIV – yet never develop the disease.

139. If contaminated material were added to the 1,200 liter bioreactors, it would replicate and infect the entire batch of vaccine material in the 1,200 liter tank.

140. Contaminated material could be distributed among sections of the population using false labels and secretly marked batches and so infect millions of people in a way as to delay the reaction or over two doses.

Such vaccine material would kill thousands if not hundreds of thousands of people under the cover of a prophylactic measure against a pandemic created by, and spread, by Baxter.

Imagine the potential for disaster if even one batch was infected and distributed to thousands, if not hundreds of thousands of people, who would not only become ill themselves but also act as incubators of a new more lethal virus.

141. It has been alleged by experts such as Dr Bill Deagle, Dr A True Ott and Dr Carley that the injections are the delivery system of the bioweapons program in which Baxter is involved.

Vaccinations are needed to upgrade the “swine flu” bridge virus to the more lethal “bird flu” virus if the international crime syndicate is to achieve its goal of a drastic reduction in the world population with a parellal consolidation of geopolitcal power.

142. It has been alleged that the bioweapons programs are 'international' in scope with funding coming from the US government, WHO, the UN and also banks.

The nature and intent of these programs is to drastically reduce the world’s population, something that the financial and political elite believe will offer them the best chance of surviving in an environmentally stressed era while maintaining their revenue from oil and gas. A switch to solar, wind and geothermal energy, for example, would releive pressure on the environment but destroy their profit base.

143. It has been alleged that Baxter is involved in any "Special Access Programs" , as defined by Congress, including 'waived', 'unacknowledged' 'waived' Special Access Programs (also known as 'black programs'), on the basis of evidence such as Baxter’s application for a patent for a bioengineered bird flu virus designed to be more lethal Application number: 10/547155, Publication number: US 2007/0134270.

144. It has been contended that the motivation for releasing this pandemic virus is one of classic robbery; if one arm of the international crime syndicate, after installing a covert bioweapon facility, releases a global pandemic virus, then the other financial arm of this same international crime syndicate can rob the assets of the victims around the globe as well as get greater control of the natural assets of any country, including water and agricultural land, natural assets that are increasingly valuable as global warming bites.

145. There are reasonable grounds for believing there are financial and social connections with the incoming administration as Baxter because ist executives are based near Chicago, the political base of President Obama, and Baxter has contributed to political parties.

146. It is clear that Baxter stands to benefit financially from the outbreak of a pandemic through a contaminated season influenza vaccine in late 2009, and that the shareholders will profit directly from this boost.

147. It has been reported that President Obama holds shares in Baxter.

148. Certainly, Baxter is guaranteed substantial direct profits from their triggering a bird flu pandemic from their contract sealed in 2006 with the Austrian Health Ministry, led by then Health Minister Maria Rauch-Kallat, to supply 16 million vaccine shots in the event of a bird flu pandemic being declared in Austria alone.

149. Baxter also has the contract to supply the swine flu vaccine for the Austrian government in spite of its role in releasing pandemic material this winter.

Baxter has contracts with WHO to supply huge quantities of vaccines.

150. However, upfront profits from sales of vaccines are just one part of the profit that the organised corporate crime syndicate, comprised also of banks, will obtain as mentioned.

If millions, if not billions, of people were to die as a result of a pandemic virus and/or contaminated inoculations, then their assets, their savings, their houses, apartments, farms and companies would be easy to acquire by a crime syndicate that has infiltrated and annexed key government offices.

Baxter’s CEO has admitted that heparin was deliberately contaminated.

151. That vaccine material has been deliberately contaminated causing death and injury has even been admitted by Baxter’s CEO Robert Parkinson.

152. Baxter is at the center of a lawsuit alleging that Baxter altered an ingredient in heparin that flowed through heparin syringes to patients, resulting in pain and suffering, and sometimes death, to those affected.

153. “Baxter International chief executive Robert Parkinson admitted to what looks to be the deliberate contamination of its heparin product which contributed to 81 deaths and prompted a product recall. He said that a contaminating agent that is an altered form of chondroitin sulfate was purposely added to the material before it reached Baxter's supplier in China.“ (Sturgeon, 2009)
http://network.nationalpost.com/np/blogs/fpposted/archive/2008/04/29/baxter-ceo-personal-responsibility-over-drug-contamination.aspx

“We're alarmed that one of our products was used in what appears to have been a deliberate scheme to adulterate a lifesaving medication,“ Baxter Chief Executive Officer Robert Parkinson told the House Energy and Commerce Committee's investigative subcommittee.

“It seems to us that it's an intentional act upstream in the supply chain“ said David Strunce, the chief executive officer of Waunakee, Wisconsin-based Scientific Protein, during the hearing. “We don't know specifically where.“

154. The drug's main ingredient was contaminated before reaching the Chinese factory of Baxter's supplier, Scientific

Protein Laboratories, executives of both companies testified at a U.S. House hearing today.

155. The Food and Drug Administration suspects the contamination was deliberate, though there isn't proof, according to the agency.

156. Baxter recalled heparin, used to prevent blood clots, in January of this year after reports of harmful side effects. Since January 2007, 81 people have died after allergic reactions, the FDA said on April 21. Tainted heparin made by other drugmakers has been found in more than a dozen countries since Baxter's recall, and regulators have said they don't know how it was introduced.

157. Some samples of Baxter's heparin were found contaminated with a cheaper substance known as over-sulfated chondroitin sulfate, according to the company and the FDA.

158. In a class-action lawsuit filed filed January 5th 2009 by Joyce Ann Osteen at the St. Clair County Circuit Court for compensation for scores of patients harmed by tainted heparin, the claim is made that Baxter altered the profile of the drug, in an attempt to reduce costs.

159. The lawsuit accuses Baxter of using a more dangerous and unapproved ingredient, OSCS to dilute, or to substitute for the more costly, natural ingredient in heparin to "reap greater profits as a result of utilizing cheap component parts."

About 3500 pig intestines are required to produce 2.2 pounds of raw heparin. While the suit did not quantify heparin mass relative to value, it was alleged that it costs Baxter $900 to produce heparin the old-fashioned way.

160. It is alleged, Baxter found a way to make that same amount of heparin for just $9. And the heparin mimic OSCS, according to the lawsuit, was the key.

161. The lawsuit notes that OSCS is not found in nature, and is not approved in the United States.

"Un-approved APIs significantly increases the likelihood that exposed patients will experience adverse side effects and reactions that can result from the un-approved doses," the suit states. "In other words, an unapproved API enhances the risk and danger."

162. As of April 8, there have been 103 reported deaths in patients who received tainted heparin since January 1st of 2007, the suit states. Of those deaths, 91 were reported after

January 1st of last year.

"On or about July 30th, 2008 the (US Food and Drug Administration) conclusively linked the deaths of patients infused with heparin to specific lots made by Baxter," the suit states. "The specific lots of Baxter product tested positive for OSCS."

163. Heparin crude lots received in August 2006 are said to have included material from an unacceptable workshop vendor, according to the suit. Raw material inventory records were incomplete, the control of material flow in the processing area was found to be inadequate, and a collection of outer foil bags containing heparin sodium were unlabeled. There was also no report or data to verify that the leachable for certain bags used for heparin sodium had been evaluated, according to the complaint.

164. Inspectors reported a breakdown in critical processing steps identified for heparin sodium USP process, a lack of an impurity profile established for heparin sodium, and a lack of evaluation for degradents. Manufacturing instructions were found to be incomplete, and there had been no verification performed for the reported USP test methods.

165. When even the CEO of Baxter has said that the contamination of Baxter’s blood-thinner heparin appears to have been deliberate and he has a “strong sense of personal responsibility“ for this “deliberate scheme“, how much more likely is a deliberate contamination of the “swine flu“ vaccine?

"We're alarmed that one of our products was used, in what appears to have been a deliberate scheme, to adulterate a life-saving medication, and that people have suffered as a result," Baxter Chief Executive Robert Parkinson said.
http://www.reuters.com/article/topNews/idUSWAT00940720080429

"We deeply regret that this has happened, and I feel a strong sense of personal responsibility for these circumstances," he said.

166. Under the current set of regulations, acts and provisions, it would be possible for a bioterrorist organisation that has access to the production facilities or to the 1,200 liter bioreactors or that could influence the composition of vaccine material to kill all Americans by contaminating the vaccine material and forcing them to take it without adequate checks or face being shot.

Theoretically, the lethal effect of the vaccination could be delayed or triggered by a second substance.

Evidence from bird flu vaccine trials that Novartis is a dual purpose bioweapons manufacturer.

167. The bird flu trials conducted by Novartis in 2008 offers evidence that companies are designing their trials of pandemic flu vaccines for adverse events, that is, for disease and death.

168. Novartis, one of the companies tasked with developing a “swine flu” vaccine by Defendant HHS, employed fraudulent misrepresentation and manipulated the vaccine licencing procedure to pass off a substance that is a bioweapon as a harmless vaccines for prophylactic, protective, and peaceful purposes when it tested a bird flu vaccine on homeless people in Poland.

169. Novartis’s trials of a FLUAD-H5N1 bird flu vaccine in Poland in the summer of 2008 resulted in the deaths of as many as 21 homeless people according to the Telegraph.

http://hygimia69.blogspot.com/2009/04/france-24-health-workers-on-trial-for.html

“The medical staff, from the northern town of Grudziadz, is being investigated over medical trials on as many as 350 homeless and poor people last year, which prosecutors say involved an untried vaccine to the highly-contagious virus.

Authorities claim that the alleged victims received £1-2 to be tested with what they thought was a conventional flu vaccine but, according to investigators, was actually an anti bird-flu drug.

The director of a Grudziadz homeless centre, Mieczyslaw Waclawski, told a Polish newspaper that last year, 21 people from his centre died, a figure well above the average of about eight.”

http://www.telegraph.co.uk/news/worldnews/europe/poland/2235676/Homeless-people-die-after-bird-flu-vaccine-trial-in-Poland.html

170. Other reports state three doctors and six nurses are on trial for testing the bird flu vaccine on nearly 200 patients without their knowledge.

http://hygimia69.blogspot.com/2009/04/france-24-health-workers-on-trial-for.html

Health workers on trial for vaccine scam in Poland

Nine health workers went on trial in northern Poland Monday accused of having tested a vaccine against bird flu on nearly 200 patients without their knowledge, court officials said.

The accused -- three doctors and six nurses -- are charged with "fraud, creating false documents and delivering health care without authorisation" to 196 patients, judge Piotr Szadkowski of the Torun region told AFP.

If found guilty, they risk up to 10 years in jail.

All nine accused, some reportedly clad in wigs and sun glasses to avoid being identified, pleaded not guilty.

The medical personnel are charged with administering a vaccine banned in Poland against the deadly H5N1 strain of bird flu that can be transmitted to humans.

The patients were paid for the vaccines, Polish news agency PAP reported.

They allegedly led their patients, many of them poor and homeless, to believe they were being vaccinated against ordinary flu.

Police discovered the scam by chance when they were called to break up a fight at a homeless shelter, PAP said.
-
171. The FLUAD-H5N1 drug being tested was approved for market in the European Union on May 2, 2007 before it was tested on the homeless in Poland and proved to be lethal.

172. This “vaccine” is for “government use in case of pandemic caused by Avian Influenza virus“ also for US government use.

173. ”Novartis has also received contract from US DHHS to further develop MF59C.1 adjuvant technology to potentially extend vaccine supplies in case of Influenza pandemic outbreak“

”Represents "mock-up vaccine", filed as normal step for eventual accelerated approval of final vaccine once a pandemic has been declared; Initial preparations were made with viral strain H5N3 (1999) and H9N2 (2004); File submitted for approbation in 2006 was based on clinical trials conducted with various strains of Avian Influenza virus, but more specifically with reverse genetic-engineered strain H5N1 A/Vietnam/1194/2004, with adjuvant MF59C.1;

Vaccine will eventually contain pandemic Avian Influenza strain designated by WHO at the time of pandemic, along with adjuvant MF59. “

http://www.antiviralintelistrat.com/1/Database?prod=1737

174. Perhaps this lethal drug got a licence because the primary outcome listed for the study was "adverse events rate" after two doses. That is to say, its success was measured in terms of its capacity to cause injury and damage as any bioweapon as opposed to a medicine. That is why the drug got the licence because it proved to be very damaging indeed and so met the primary outcome desired by Novartis according to the official documents of the trial.

http://clinicaltrials.gov/ct2/show/NCT00434733

Immunogenicity, Safety and Tolerability of Two Doses of FLUAD-H5N1 Influenza Vaccine in Adult and Elderly Subjects

This study has been completed.

First Received: February 12, 2007   Last Updated: April 23, 2008   History of Changes

Sponsors and Collaborators:	Novartis Novartis Vaccines
Information provided by:	Novartis
ClinicalTrials.gov Identifier:	NCT00434733

Purpose

This study is designed to evaluate the immunogenicity, safety and tolerability of 2 doses of FLUAD-H5N1 vaccine compared to 2 doses of trivalent, interpandemic FLUAD, each administered 3 weeks apart.

Condition	Intervention	Phase
Influenza	Biological: Pandemic influenza vaccine	Phase III

MedlinePlus related topics: Bird Flu Flu
Drug Information available for: Fluvirin Influenza Vaccines
U.S. FDA Resources
Study Type: Interventional

Study Design: Prevention, Randomized, Single Blind, Active Control, Parallel Assignment, Safety Study

Official Title: A Phase III, Randomized, Controlled, Observer-Blind, Multicenter Study to Evaluate the Immunogenicity, Safety and Tolerability of Two Doses of FLUAD-H5N1 Influenza Vaccine in Adult and Elderly Subjects

Further study details as provided by Novartis:

Primary Outcome Measures:

- Adverse event rate

http://clinicaltrials.gov/ct2/show/NCT00434733

Secondary Outcome Measures:

- Seroconversion and seroprotection after two doses of H5N1 vaccine

Estimated Enrollment: 4400

Study Start Date: January 2007

Eligibility

Ages Eligible for Study: 18 Years and older
Genders Eligible for Study: Both
Accepts Healthy Volunteers: Yes
Criteria

Inclusion Criteria:

- Healthy Subjects 18 years of age who signed the informed consent

Exclusion Criteria:

- Receipt of another investigational agent within 4 weeks
- Receipt of influenza vaccination for current season 2006/2007.
- any acute disease or infection, history of neurological symptoms or signs, known or suspected impairment of immune function, any serious disease, bleeding diathesis
- fever (defined as axillary temperature ^{3}38.0°C) within 3 days (prior to Visit 1)

- Pregnant or breastfeeding or females of childbearing potential who refuse to use an acceptable method of birth control
- Surgery planned during the study period
- Hypersensitivity to eggs, chicken protein, chicken feathers, influenza viral protein, neomycin or polymyxin or any other component of the study vaccine
- Receipt of another vaccine within 3 weeks prior to Visit 1 or planned vaccination within 3 weeks following the last study vaccination
- History of (or current) drug or alcohol abuse
- Any condition, which, in the opinion of the Investigator, might interfere with the evaluation of the study objectives.

Contacts and Locations

Please refer to this study by its ClinicalTrials.gov identifier: NCT00434733

Locations

Poland

Centrum Badań Farmakologii Klinicznej monipol
Kraków, Poland, 30-969

Sponsors and Collaborators

Novartis

Novartis Vaccines

Investigators

Study Chair:	Novartis Vaccines and Diagnostics GmbH & Co KG Novartis	Novartis Vaccines and Diagnostics GmbH & Co KG., Germany

More Information

No publications provided

Study ID Numbers:	V87P4, 2006-005428-18
Study First Received:	February 12, 2007
Last Updated:	April 23, 2008
ClinicalTrials.gov Identifier:	NCT00434733 History of Changes
Health Authority:	Poland: Central Register of Clinical Trials (CEBK)

Keywords provided by Novartis:
Influenza H5N1, pandemic

Study placed in the following topic categories:

Virus Diseases	Influenza, Human
Respiratory Tract Diseases	Influenza in Birds
Respiratory Tract Infections	Orthomyxoviridae Infections

Additional relevant Mesh terms:

Virus Diseases	Respiratory Tract Infections
RNA Virus Infections	Influenza, Human
Respiratory Tract Diseases	Orthomyxoviridae Infections

ClinicalTrials.gov processed this record on May 17, 2009

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175. When damage and injury, however, are listed as the primary outcome, this is no longer medicine but a bioweapon. This is murder by means of a biological agent delivered by an injection.

176. Any vaccine for a pandemic influenza should have to be thoroughly evaluated through trials and research to prove its safety, efficiency, efficiency, quality and beneficial health effects if a government is going to be in compliance with its duty under normative justice to issue a licence for that vaccine.

Moreover, vaccines and drugs should have been tested for their beneficial health effects in several clinical phases for safety and efficacy before they can be released to the general public. This is a time consuming process often taking years to complete. There is no short cut to following these procedures when it comes to safety.

Any new vaccine has to be evaluated at many levels: Phase 1: safety, Phase 2: safety and immunogenicity, Phase 3: large-scale trials for efficacy and Phase 4: post- marketing surveillance.

177. It is criminal for a vaccine material that has as its stated primary desirable outcome “adverse events rate” after two doses rather than “positive events rate”, that is, beneficial effects on the health of the patient, to be injected into patients.

It is a crime to produce a vaccine whose overwhelming intention is to produce “adverse events” or damage to the people who are injected with the drug as the FLUAD-H5N1 does.

It is a crime to approve that vaccine for the market on the basis of it producing “adverse events rate”.

If I make a drug saying its success is measured in terms of “adverse events” and to damage people, I am conspiring to commit pre-meditated assault or murder using a bioweapon and an injection as the delivery system. If I actually use that drug and kill people I have committed pre meditated murder using a bioweapon and an injection as a delivery system.

178. The doctors and nurses involved in the bird flu trials in Poland are now on trial for having withheld from their victims information about the drug, presenting it instead as a harmless, routine shot. In so far as they have violated the requirement to obtain informed consent, they have violated the medical law. In so far as their actions led to the deaths of others, they have violated criminal law.

Are the people of the United States going to be forced to take an unproven, untested vaccine such as the one produced by Novartis, fully licensed but licensed to cause adverse events, that is to say, to kill and injure?

179. Novartis along with Baxter is one of the two major companies with contracts to produce millions of doses of swine flu vaccines for a mass compulsory vaccination.

180. „Novartis has also received contract from US DHHS to further develop MF59C.1 adjuvant technology to potentially extend vaccine supplies in case of Influenza pandemic outbreak.“

http://www.antiviralintelistrat.com/1/Database?prod=1737

“CompanyMarket Cap2009 P/E5-year Earnings GrowthTechnology
Novartis (NVS)$85 B10x10%Cell-based vaccines
Baxter (BAX)$30 B13x12%Cell-based vaccines
Gilead (GILD)$40 B18x15%Anti-viral drugs
Crucell (CRXL)$1.5 B50x30%Cell-based vaccinne

Gilead will receive royalties on every dose of Tamiflu sold by Swiss-based Roche. The current efforts to beef up emergency stockpiles of Tamiflu could add $80 million to Gilead’s bottom line within two years.
Novartis, Baxter, and Crucell are each developing vaccine-production methods to replace our antiquated system (which uses chicken eggs). From start to finish, each of the new approaches can generate an original vaccine within 12 to 16 weeks.
Novartis already has the genetic code of the current swine flu virus. Now, it’s waiting for an actual sample of the virus to

arrive in its labs. Baxter expects a sample, as well, in the next few days.”

Evidence as to FDA’s collusion

181. There is evidence that the criminal activities of the vaccine corporation are covered up by complicit FDA officials.

182. The FDA failed to complete an inspection of Baxter’s. Scientific Protein plant in China that should have been conducted in 2004 because regulators confused the plant with another with a similar name, according to the agency, thereby allowing the contamination of the heparin.

183. The FDA may have been able to have prevented contaminated heparin from reaching the U.S. if the agency had completed the 2004 inspection, said David Nelson, an investigator for the energy and commerce panel, who testified before the panel.

184. While there wasn't contamination at the time, Nelson said an inspection may have identified shortcomings, including procedures to ensure the ingredients it purchased were pure. The FDA failed to complete an inspection of the Scientific Protein plant in China that should have been conducted in 2004 because regulators confused the plant with another with a similar name, according to the agency.

185. Baxter inspected the plant in September and found no major deficiencies, said Nelson. In February, the FDA sent inspectors to the plant and uncovered ``significant deviations'' from standard practices, he said. He questioned whether the Baxter inspection was sufficient.
The inspections were done ``at different points in time'' for different reasons, Baxter's Parkinson said. The company's inspection was routine, while the FDA's was ``for cause'' after the recall.
``That leads to a very different type of inspection,'' Parkinson said.

``Our investigations have revealed an FDA woefully lacking in the personnel, effective policies, and the will at the highest level to perform the duties entrusted to it by the Congress and the American people,'' said Representative John D. Dingell, a Michigan Democrat, during the hearing.

186. The FDA would need an additional $225 million annually to inspect overseas drugmakers every two years, said Janet Woodcock, head of the FDA's drug division. The agency plans to spend $11 million this year for overseas inspections, according to the Government Accountability Office, the investigative arm of Congress.

The FDA conducts annual inspections of about 7 percent of overseas drugmakers that ship to the U.S., a pattern suggesting it would take 13 years to visit them all, according to the GAO.
Representative Michael Burgess, a Republican from Texas, also raised alarm that heparin appeared to have called the contamination ``thuggery'' and ``thievery'' and said it was an ``knife in the back'' of the American public.

187. Bayer pharmaceutical company documents (from its Cutter Biological unit), made public during a lawsuit, revealed that in 1985, Bayer and the FDA colluded by knowingly and deliberately putting thousands of hemophiliacs at risk of death by selling an AIDS-infected blood clotting drug in Asia and Latin America. See:
http://www.ahrp.org/infomail/0503/22.php

The New York Times reported that FDA official, Dr. Harry Meyer, willingly helped Bayer cover up "one of the worst drug-related medical disasters in history." Meyer suggested that the issue should be "quietly solved without alerting the Congress, the medical community and the public."

Attorney, Mike Papantonio
http://www.ringoffireradio.com/mike_papantonio.asp, who with Robert Kennedy Jr, co-hosts, Ring of Fire, said in an interview with MSNBC's Joe Scarborough that this lethal product was also sold in Spain, France, and Japan, killing thousands--especially children.

He stated emphatically that the internal documents show that Bayer "absolutely, positively knew [the product] was infected and would likely kill thousands of people" but that it set out to "profit by disaster." see video:
http://www.youtube.com/watch?v=XS3mhjt7TrY&search=Bayer

When the French government learned of it, company officials went to jail. In the US no pharmaceutical corporate criminals have ever been held accountable nor indicted

188. Bayer was one of the companies that issued contracts for unknown medical substances to be injected into Nazi concentration camp inmates during the second world war.

189. The FDA is a government body whose officials must act, therefore, in accordance with the mandate of the Preamble, Constitution and Bill of Rights *to* eliminate the risk of death and injury concerning vaccines and other medicines as the Preamble, Constitution and Code, from which all government bodies derive their legitimacy, requires.

“The Food and Drug Administration (FDA or USFDA) is an agency of the United States Department of Health and Human Services and is responsible for regulating and supervising the safety of foods, dietary supplements, drugs, vaccines, biological medical products, blood products, medical devices, radiation-emitting devices, veterinary products, and cosmetics.”

However, there is evidence the FDA is deliberately, willfully and knowingly failing to do its duty to inspect and control vaccine companies employing devices, schemes and artifices to subvert the regulations such as going to the wrong plant for the inspection out of “confusion” because key personnel within the FDA, including Defendant Dr Margaret Hamburg, are following instructions for a cover up from the very same international crime syndicate that is using those same vaccine companies to commit covert mass murder, and to profit from that mass murder.

190. The FDA Chief Andrew von Eschenbach, M.D. has committed perjury before Congress after it was discovered that he gave misleading information about the fraud involved in the approval of the dangerous antibiotic drug Ketek made by Sanofi-Aventis.

“FDA Chief in Very Hot Water with Congress

Thursday, February 14, 2008 - Byron J. Richards, CCN

It now appears that the FDA Chief Andrew von Eschenbach, M.D. has committed perjury before Congress...

The FDA is now ignoring Congressional subpoenas of its records, setting up another showdown between Congress and the Bush Administration. Unlike former showdowns, national security is not involved. Will the Bush administration offer protection for a situation that involves needless deaths to Americans? The Chinese sentenced to death the head of their FDA for far lesser misdoings.

The issue revolves around the fraud-riddled antibiotic Ketek which is made by Aventis, now Paris-based Sanofi-Aventis. Sen. Charles Grassley, R-IA, has been holding the FDA’s feet to the coals on the Ketek issue for the past several years ever since an 18 year old boy from Iowa was killed by the antibiotic when being treated for a routine infection. There are other deaths and many cases of liver failure. The House Oversight and Investigations Subcommittee has been looking into the matter since early last year, shortly after von Eschenbach’s permanent appointment to head the FDA.

The available evidence paints a picture of the FDA turning this deadly drug loose on children even though it knew of

safety problems, a trail of evidence von Eschenbach has actively covered up. In the face of Congressional scrutiny the FDA has since scaled back it's approved use of Ketek, but has left it on the market to treat pneumonia. The FDA blames Aventis for the problems, who is also in hot water with Congress. The FDA is refusing to hand over records showing what it knew and when. Insider information indicates significant FDA wrongdoing.

We already know that a clinical trial involving the drug was forged by a weight loss clinic in Gadsden, Alabama. The physician in charge, Dr. Maria Anne Kirkman-Campbell, is now serving five years in prison. Congress has been trying to get to the bottom of the matter, seeking to establish what Sanofi-Aventis and the FDA knew. Congress has hit a stone wall. It appears they both knew plenty – and covered their tracks.

The House Subpoenas FDA Records

Congress finally had enough. On January 25, 2008 John Dingell and Bart Stupak of the House Oversight and Investigations Subcommittee sent a memorandum stating they intended to subpoena FDA investigators, a private contractor, and various FDA records, which they followed through on several days later.

On February 12, 2008 the House committee held hearings on the matter. Douglas Loveland, a special agent at the FDA's criminal-investigation office, told the committee that Aventis should have known there was fraud and there was a "catastrophic failure" of their clinical trial systems. They ignored "red flags" about the bogus data, "they were loud signals…they were bright signals."

The FDA even admits that it knew there were "serious protocol violations and regulatory noncompliance by multiple clinical investigators" and that it had no knowledge these problems were ever fixed before approving the drug. However, the FDA is not forthcoming about information that may indicate a von Eschenbach cover-up.

Last March von Eschenbach provided written testimony to the committee on events surrounding the Ketek drug approval. The committee subsequently learned from an FDA insider and those familiar with the approval that the testimony was not truthful. The committee had recently subpoenaed the FDA records regarding the preparation of this testimony to learn why it was lied to.

On February 12, 2008 the committee was told by the parent of the FDA, the Health and Human Services Department, that these documents would not be provided because "The department has

serious concerns about providing the kind of materials the committee has subpoenaed…such highly confidential and deliberative materials used to prepare witnesses testifying before Congress risks chilling the open exchange of views that is essential to the effective conduct of agency business." A more skeptical outsider like myself would interpret this to mean "that when people are killed the FDA is above the law and doesn't need to disclose relevant information."

Dingell is not taking the matter lying down: "What is in those briefing books that he does not want either my Republican colleagues or our side to see? Is there evidence of perjury? Are there statements embarrassing to the administration?" He went on to say that "Neither Chairman Stupak nor I will tolerate such a perversion of Congressional powers to investigate and probe." His next step to get the von Eschenbach records may be to hold Michael Leavitt, the HHS Secretary, in contempt of Congress – setting up a major showdown with the Bush Administration.

FDA Whistleblower

Dr. David Ross served as the FDA's primary safety reviewer on Ketek. He was concerned about liver damage as early as 2000 and was stunned by the fact that the U.S. clinical trial contained blatant fraud. Back in 2003 he wanted to give this information to the FDA advisory panel that was deciding if Ketek was safe to use for the public. FDA management prevented him from doing so and purposefully withheld information from the advisory panel about the ongoing criminal investigation.

Ross buckled to FDA management pressure and omitted the safety risks and his concerns about Ketek from his final report. This all happened prior to von Eschenbach coming to the FDA. Under von Eschenbach's tenure as temporary head of the FDA the Ketek problems began to hit the fan. Congress started actively looking into the matter and von Eschenbach went into damage control mode. He called a meeting of 40 FDA employees regarding Ketek issues and mysteriously Ross was invited to this meeting (he no longer worked on the Ketek issue).

Ross has reported that during the meeting von Eschenbach likened the workings of the FDA to a football locker room, where differing views can be vented but that once on the field the team speaks with one voice and any FDA staff who speaks differently will be warned the first time, benched the second time, and traded the third time.

In the face of such a blatant effort to suppress the truth of the situation Ross turned whistleblower. He has told Congress that the FDA approved Ketek "despite knowing that it could

kill people from liver damage and that tens of millions of people would be exposed to it."

Grassley Predicted the Unethical Behavior of von Eschenbach

Back in February of 2007 Senator Grassley informed the House committee of the extensive nature of the FDA cover-up on Ketek as well as other issues, including FDA disregard for Congressional investigation.

Von Eschenbach is a cancer-industry insider who took the job at the FDA so he could get quick approval of new biotech drugs while using humans for cruel experiments in the name of "progress." His nomination as permanent head of the FDA took place during the 2006 lame duck session of Congress and was rubber stamped by Big Pharma friendly Senators. Senator Grassley knew better, as he stated on the floor of the Senate during the confirmation hearings:

"People ought to be ashamed of saying Dr. Andrew von Eschenbach has done a superb job in the position he is currently occupying [acting head of the FDA].…That is an insult….In my interactions with the Department of Health and Human Services and the FDA these last 8 months, I have seen a complete and utter disrespect for congressional authority and hence the law.… This body [the Senate] should not walk hand in hand with the executive branch and sit idly by as instances of abuse and fraud continue to endanger the health and safety of American people."

As Grassley's warning fell on deaf ears, Orrin Hatch (R-UT), a man whose pockets are lined with Big Pharma money, rose in defense of von Eschenbach:

"To me it is simply unconscionable that the Food and Drug Administration, one of the best little agencies in Government, has gone leaderless for such a period of time…I know Dr. von Eschenbach well. He is a man of integrity….I urge my colleagues—no, I implore my colleagues—to do what is right and vote [for] this nomination….it is what the American people deserve."

Indeed, as history notes, the American people got von Eschenbach – a drug company sales rep sitting in the hot seat atop the dysfunctional FDA, an organization of unelected bureaucrats who are certain they are above the rule of law and certain they have nice jobs waiting for them in the Big Pharma world.

Evidence as to the WHO's collusion

191. The World Health Organization (WHO) is a specialized agency of the United Nations (UN) that acts as a coordinating authority on international public health. Established on 7 April 1948, and headquartered in Geneva, Switzerland, the agency coordinating international efforts to monitor outbreaks of infectious diseases, such as SARS, malaria, and AIDS.

192. WHO is currently working with Collaborating Center in Atlanta (The Centers for Disease Control and Prevention (CDC) in the United States of America) and vaccine companies such as Baxter and Novartis to develop “candidate vaccine viruses” for 4 billion people by autumn of the world’s population, enough to achieve an 80 per cent reduction in the world’s population.

193. There is evidence that WHO itself is playing a role in exposing the populations of the world to the risk of a pandemic virus that could kill billions of people.

194. WHO supplied the the “wild” bird flu virus from its reference laboratory that Baxter AG in Austria then used to produce 72 kilograms of contaminated bioweapon material that nearly triggered a pandemic.

195. Though Baxter was involved in a scandal involving vaccines tainted with deadly avian flu virus, WHO chose Baxter head up efforts to produce a vaccine for the Mexican swine flu that has seemingly migrated into the U.S. and Europe.

196. Baxter has confirmed it is working with the World Health Organization on a potential vaccine for swine flureports the Chicago Tribune.

197. Baxter has previously worked with governments all over the globe to develop and produce vaccines to protect against infectious disease or potential threats from bioterrorism. After 9/11 Baxter helped supply stockpiles of a smallpox vaccine and in 2003 the company was contracted to develop a vaccine to combat the SARS virus. In 2006 the UK Government announced plans designed to inoculate every person in the country with Baxter’s vaccines in the event of a flu pandemic.

198. Even though Czech newspapers immediately questioned

whether the events were part of a conspiracy to deliberately provoke a pandemic, there was no in depth investigation by WHO resulting in recommendations for the tightening of standards or for charges at Baxter made public.

199. Since the probability of mixing a live virus biological weapon with vaccine material by accident is virtually impossible, this leaves no other explanation than that the contamination was a deliberate attempt to weaponize the H5N1 virus and distribute it via conventional flu vaccines to the population who would then infect others to a devastating degree as the disease went airborne.

200. Baxter has put the safety of the entire human race at risk together with WHO, and now, that same company, Baxter, is seeking a sample of the potentially lethal never before seen form of swine/avian/human flu virus and WHO has chosen it to develop a new vaccine, reaping billions in the process.

201. Why should Baxter be entrusted with this task by WHO, when Baxter have already been proven to be at the very least criminally negligent, and at worst a prime suspect in attempting to carry off one of the most heinous crimes in the history of mankind unless WHO is involved?

202. So, under the guise of helping to coordinate the response to a pandemic, WHO is actually helping vaccine companies to develop and also release the pandemic viruses with impunity by providing funds, licences and authority.

Though Dr Margarent Chan, the Director General of WHO, is technically a public servant and has the duty as part of her official capacity to act at all times in such a way as to safeguard the health of the world's population, there are grounds for believing WHO is abusing its administrative structures, personnel and services actually “misusing“ pandemic material and pandemic declarations to assist organisations, companies, government bodies or other entities intent on unleashing a pandemic virus and then carrying through a mass vaccination programme with contaminated material in order to gain political and economic advantages from mass murder.

203. The World Health Organization, together with the UN, will be given authority over the US in the event of a pandemic under a decree issued by President George Bush in 2005.

204. When WHO sends such a "declaration" to President Obama, FEMA and the Department of Homeland Security "Pandemic Task Forces" will be deployed according to my information.

205. Each State Governor will be notified that the provisions of the Model State Emergency Health Powers Act (MSEHPA) will be implemented. This means that all Americans must consent to mass vaccinations, or be guilty of a FELONY crime.

206. The legal situation is that anyone who refuses the vaccine, and/or resists forced relocation to a prepared "quarantine compound", can "legally" be shot and killed. (Justified "deadly force".) See http://www.forhealthfreedom.org/Pub...ModelState.html

207. On Friday April 24, following the „swine flu“ scare in Mexico, WHO ordered officers to man the "Pandemic Control Room" 24/7 for the first time and was reported to be about to declare a "pandemic".

208. The WHO "Pandemic Control Room" is designed to map and track the spread of a pandemic virus, and is thus equipped with super-computers tied to all U.N. member government's security forces.

209. This "control room" is where any declarations of "pandemic" will originate from.

210. WHO appeared to be ready to declare a pandemic prematurely as a pretext to rush through emergency laws and mass compulsory vaccination program with contaminated or faulty vaccine material that could result in death or injury to people as happened in the mass swine flu vaccination program of 1976.

211. WHO intentionally manipulated information on the swine flu outbreak to play up the danger of a pandemic in order to justify the declaration of a pandemic and the implementation of a mass vaccination programme while ignoring and suppressing information that indicates WHO’s drastic response is not proportionate to the risk, especially the evidence that many people have recovered from the „swine flu“ with just rest and hydration.

212. WHO’s assessment of the dangers of this swine flu was by far the most pessimistic with the CDC recommending just customary precautions.

213. WHO identified about 80 fatalities at a time when the Mexican government itself confirmed only 16 from this new flu strain.

214. The new strain of the so called „swine flu“ appeared in Mexico and America simultaneously, and under "mysterious circumstances" also indicating a deliberate, planned and coordinated release of the synthetic laboratory engineered viruses.

But WHO only began investigating the "mysterious" incident after the Austrlian virologist Adrian Gibbs said in an interview he thought the virus had come from a lab.

215. It is WHO’s especial duty, given this precedent in 1976, to make sure no mass vaccination programme is implemented unless that causes injury to the general public is implemented under WHO’s auspices by WHO declaring a pandemic prematurely and without having adequate safeguards in place to ensure the high quality and safety of any vaccine material.

216. However, WHO immediately contracted Baxter, the very same company that nearly triggered a pandemic by releasing 72 kg of live bird flu material in winter to produce huge amounts of vaccine for the „mysterious“ swine flu.

Again, it was the WHO reference center which provided Baxter with the particularly lethal wild type bird flu virus that ended up contaminating ordinary human flu material and being distributed to 16 laboratories in Austria, the Czech Republic, Slovenia and Germany under a false label, so nearly sparking a bird flu pandemic this winter in the estimation of experts and the media.

Virus mix-up by lab could have resulted in pandemic (6 Mar 2009)
http://timesofindia.indiatimes.com/articleshow/4230882.cms

217. In the Baxter case of this winter, there is therefore a clear, well documented link between WHO and the release of pandemic bird flu material in Europe this winter.

Under the biosafety 3 regulations an accidental contamination of the deadly bird flu virus strain WHO sent from its reference center to Baxter with a human flu is virtually impossible.

218. WHO’s failure to conduct a full and detailed investigation into the „Baxter incident“, and to make those findings public or to make clear recommendations as to how to prevent a repeat of this incident is not merely a failure to

perform their duty as a public health body, but evidence of their role in covering up the real origin of the pandemic virus, specifically, in WHO's own reference center.

So there is clear evidence that WHO and Baxter and other vaccine companies are working together to deliberately trigger a pandemic with the aim of profiting from it by sealing in advance lucrative contracts to supply a vaccination.

219. Although many researchers and NGOs issued warnings that resurrecting this lethal Spanish flu virus was dangerous to the public, WHO has been one of the biggest supporters of continuing research into this bioengineered virus and into its "antidotes" spending millions, if not billions, of tax payers dollars on research or „creation“ and then on „vaccination“ and „prevention“ programmes.

220. Jeffery K. Taubenberger of the Department of Molecular Pathology, Armed Forces Institute of Pathology into the bird flu virus and specifically his reconstruction of the deadly strain of the bird flu virus from the genetic material retrieved from victims of the Spanish flu pandemic of 1918-1919.

221. It was only in the summer of 2008 that researchers published evidence that showed that the bird flu can mix with the human flu virus to produce a pandemic virus in a laboratory situation.

222. That same summer Novartis tested ist bird flu vaccine for „adverse events“ on homeless people in Poland, causing deaths and injury.

223. There is therefore, plenty of evidence from the documents and reports even within the public domain to show that WHO and their allied pharmaceutical companies and other agents, including the European Union, are knowingly and intentionally creating pandemic virus material, testing it and releasing it.

224. There is evidence from the pattern of WHO’s activities that, under the color of their office while purporting to act in an official capacity, members of the organisation are actually acting on behalf of hidden crime interests intent on igniting a pandemic and misusing a declaration of a pandemic to gain political and financial advantages, a group which designated in these charges as the Illuminati crime gang.

225. The declaration of a pandemic by WHO has direct political and financial and other advantages to elements in the US government, especially elements belonging to the Illuminati/Bilderberg/ New World Order/CIA/Freemason crime gang.

226. The imposition of martial law on the pretext of a pandemic will help those individuals suspected of violating laws to torture to avoid prosecution in the United States, although a case is being pursued in Spain.

Furthermore, elements of the Illuminati have knowingly and intentionally manipulated the financial system for their financial gain, first by sucking in huge amounts of money, and then by imploding the system.

227. Further evidence of WHO's role in facilitating the covert bioweapons program by the Illuminati against the people of the United States comes from the recent case of VICL

228. In spite of the fact that WHO has said on its own website that the vaccine candidate viruses would only be available by mid May, Vical Incorporated (VICL 2.13, -0.12, -5.33%) announced on May 21st that in the two weeks since launching its program to develop a vaccine against H1N1 influenza (swine flu), the company has completed development of a prototype H1 vaccine, produced an initial supply of research-grade material, and initiated immunogenicity testing in animals.

http://www.who.int/csr/disease/swineflu/frequently_asked_questions/vaccine_preparedness/en/index.html

229. According to the WHO website: "A vaccine for the Influenza A(H1N1) virus will be produced using licensed influenza vaccine processes in which the vaccine viruses are grown either in eggs or cells. Candidate vaccine strains have been identified and prepared by the WHO Collaborating Center in Atlanta (The Centers for Disease Control and Prevention (CDC) in the United States of America)[1]. These strains have now been received by the other WHO Collaborating Centers which have also started preparation of vaccine candidate viruses. Once developed, these strains will be distributed to all interested manufacturers on request. Availability is anticipated by mid-May."

230. How can VICL have completed development of a prototype H1 vaccine, produced an initial supply of research-grade material, and initiated immunogenicity testing in animals even before the candidate vaccine was grown and released to companies unless VICL itself was involved in making the virus in the first place.

231. How can VICL have won a contract with the Navy for clinical testing of a vaccine when the candidate virus has not even been released by WHO?

232. “The first doses of Influenza A(H1N1) vaccine could be available in five to six months from identification of the pandemic strain. The regulatory approval will be conducted in parallel with the manufacturing process. Regulatory authorities have put into place expedited processes that do not compromise on the quality and safety of the vaccine. Delays in production could result from poor growth of the virus strain used to make the vaccine,” WHO says on its website.

234. VICL is working to a very different time plan from WHO apparently with impunity.

„Assuming a successful outcome of this testing and a commitment for program-specific external funding, the company is ready to advance directly to large-scale cGMP manufacturing of vaccine for human clinical trials to be conducted by the U.S. Navy.

The company previously announced that it has entered into a Cooperative Research and Development Agreement (CRADA) with the U.S. Naval Medical Research Center (NMRC), a biomedical research organization within the U.S. Navy, to advance into clinical testing as quickly as possible a Vaxfectin(r)-formulated H1 DNA vaccine. Vical and the NMRC are actively pursuing funding to support the program.“

235. Criminal charges have also been brought against WHO, Baxter and the Swiss National Influenza Laboratory in Geneva for their role in an alleged bioterrorist attack in Switzerland on April 27th.

236. A container with vials of swine flu virus exploded on a Swiss Intercity train at peak time, exposing 61 people to a potentially lethal virus.

(http://uk.reuters.com/article/worldNews/idUKTRE53R1PO20090428)

237. The container appears to have come from a WHO and Baxter affiliated laboratory in Mexico City. It was destined for the National Influenza Laboratory of Switzerland in Geneva, but was apparently sent by plane to Zurich where it was picked up by a technician.

238. The container was faultily packaged. The dry ice meant to cool the vials was packed into the wrong part of the container and resulted in an explosion as the dry ice melted in the train compartment.

239. The allegation is that these groups were acting in unison to rlease a virulent strain of the virus among the Swiss

population and cause panic in an attempt to justify triggering a pandemic level 6 declaration from which they would reap enormous financial and political profits, including, in the case of WHO and the affiliated UN, the right to assume control over key US infrastructure.

240. A virus of this sensitive nature should not have been sent in a high speed commuter train packed with people. It should have been classified as a hazardous material and sent by a third party.

241. Furthermore, it was alleged the container was not “faultily” packed as claimed, but deliberately designed to explode and spray out particles of the virus among passengers.

242. An Intercity train, a more or less enclosed, air conditioned space with constant variables such as temperature and packed with people, is an ideal place to launch a bioweapons attack.

243. It was contended that the container used for transporting the vials resembled a CO_2 bomb. Dry ice packed into the middle ring of a hermetically sealed container evaporated when it melted, producing vapour. The vapour expanded and the growing pressure led to the explosion of the vials of « swine flu and to the bursting of the container.

244. The blast was sufficient in force to injure the technician charged with transporting the package as well as a passenger.

245. Through this explosion, the virus was aerosolised and spread around the compartment. It can be assumed it went into someone’s lung, carried by the shockwave of the explosion outwards.

246. It was alleged that dry ice or solid carbon was chosen because most bomb sniffers - dog and electronic alike - look for sulfur and nitrogen compounds found in black powder, ANFO, etc.

Solid carbon or CO_2 is in the air already, so detecting it and discriminating from natural background sources is harder.

247. The container used to transport the vials should have had a vent hole to allow the pressure building up from the melting dry ice to escape. It should also have been made of plastic if it were the conventional type of container for carrying medical supplies.

Because the container had no such vent hole and was made of a robust material, the evaporating CO_2 pressurized the container, and the vials of swine flu.

Once the outer case burst, the inner vials underwent a similar explosive decompression, instantly vaporizing their contents as a mist filled with microrganisms.

248. It was alleged that the “organisers” of this bioterrorist act planted misleading information into the general public that the virus was harmless when it isn’t to spread the lethal Mexican pandemic strain by sending their agents from the National Influenza Laboratory in Geneva to the scene of the explosion to reassure the police that the virus was harmless.

249. In spite of the fact that the credibility of the laboratory staff was severely compromised by their decision to send the vials by train and by the faulty packaging of the container, the police did not carry out a forensic investigation.

250. As a result, the infected passengers were allowed to go home without any preventative treatment or plans for the monitoring of their health.

Evidence as to the Canada’s National Microbiology Labs’ collusion

251. Canada's National Microbiology Laboratory, a public health reference laboratory that has a duty to provide scientific excellence and quality assurance, sequenced the first Mexican and Canadian flu samples said that the genetic sequence of the H1N1 flu virus from Mexico and Canada is the same.

252. However, other scientists have found three distinct strains.

253. Two polymorphisms are different between the virulent Mexican and mild Canadian strain of the swine flu. It is too early to tell if these polymorphisms will be of clinical significance or not. However, a national laboratory is required by law to supply accurate and comprehensive information on the genome sequences of the swine flu virus strains.

The lab should have provided a full and comprehensive analysis including the different in the polymorphisms because its analysis will be the basis for the development of a vaccine.

254. The wrong genome sequence analysis could lead to the wrong vaccination could potentially cause harm, loss of life.

255. “Mexican and Canadian Swine Flu -- Not The Same”

http://dc-chemical.us/?q=node/35

Regarding the genetic analysis of Mexican Swine Flu vs. Canadian Swine Flu -- There are SNPs on PA and PB2 , which are ONLY present in the Mexican strain -- a sequence released by Dr. Plummer's own laboratory! The fact that this difference was in his own data should bring into question the credibility of government health labs' ability and will to protect the public interest..

Suppose we use New York / Canada as the consensus strain. There are two unique polymorphisms found ONLY in Mexico (so far, anyway):

Whether or not these SNPs are clinically significant is another question entirely -- the fact is, they should have been addressed, rather than suppressed.”

256. If the Canadian laboratory falsely classifies the mild strain of swine flu as the lethal Mexican strain, it will have ramifications.

257. The Canadian government is entitled to use criminal law to deal with outbreaks of diseases. Clearly, the government would not be able to claim such a drastic mandate unless the public were led to believe the danger was great.
The analysis of the laboratory could also be the basis for the production of vaccine material. If the laboratory has got it wrong, then the vaccine companies are likely to get it wrong.

258. For that reason, the Canadian laboratory, flowing from its obligation as a public health body established to provide scientific excellence and quality assurance, should, at the very least, have given the entire sequence, including the two different polymorphisms and made it clear that there was a difference between the Mexican and Canadian strain.

Evidence as to the collusion of public health laboratories

258. The laxity at the Canada's National Microbiology which contains some of the world's most deadliest pathogens *was underlined when* Canadian scientist was stopped at the U.S. border after authorities found 22 vials used in Ebola research in his car.

259. Konan Michel Yao, 42, was apprehended by U.S. officials as he attempted to enter the United States at the Pembina, N.D., border crossing from Manitoba on May 5, 2009.

Yao faces U.S. criminal charges for smuggling and is currently in the custody of the U.S. Marshals service.

260. Yao was working at the agency's special pathogens laboratory on an Ebola vaccine project when his research term ended in January.

261. The head of the lab admitted that Yao vel 3 and 4 pathogens, such as the swine flu virus, HIV and Ebola virus and that "There was…genetic material from the Ebola virus in the material that he took off with.“

262. Canada's public health agency did not know the vials were missing until it was contacted by the RCMP, which had been alerted by U.S. border services, Plummer said.

263. The matter has also been referred to the Winnipeg Police Service, which has not yet decided whether to lay charges.

264. The National Laboratory did not inform the police about the missing vials.

Evidence as to manipulation of the legal framework to allow mass murder with impunity

265. The government has introduced legislation and executive orders that have stripped the civic rights of the people of the United States, specifically by criminalising their right to refuse a “swine flu” or other pandemic virus vaccine, classified by their own government as a bioweapon, and so paved the way for the implementation of a programme of mass murder by means of a virus and vaccine while giving themselves and their agents immunity.

266. Provisions in any Federal or State legislation that allow the government under any authority, including a presidential executive order, to compel the people of United States of America to take a vaccination for which there is verifiable scientific evidence for believing could be very dangerous to them, both individually and collectively, and which, also includes provisions, barring them from claiming any compensation for any injury or death while enforcing punishments so severe for refusing that it could cost people lives or result in imprisonment, are in violation of the Preamble, the Constitution and the Bill of Rights and the Laws of the land.

267. To accept the legal framework of the Patriot Act 1, and 2, The Model State Emergency Health Powers Act, the NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20 is to accept that the legal rights of the US citizen today in 2009 are no different from the prisoners of the Nazi German concentration camps when it comes to their right to refuse an unproven vaccine forced on them by agents claiming the authority of an official office that was, however, also outside the scope of the duties and offices mandated by the German Constitution.

268. The prisoners in the Nazi concentration camps had no right under law to refuse a vaccine or experimental drug just as the US citizens today have no right to refuse an unproven pandemic vaccine today. Any refusal to allow a vaccination by Nazi concentration camp inmates was met with severe punishment including shooting, beatings, and solitary confinement. And any refusal by 269. US citizens today will be met by the same severe punishment including shooting and imprisonment because the government agents administrating the vaccines are authorised to use these punishments against criminals, and those who refuse the vaccination are classified as criminals.

270. Nazi concentration camp prisoners were barred from seeking compensation or any form of legal redress for any injuries and damages done to them by forced vaccination – if they survived, at all, and most did not. And the citizens of the United States of America are also to be barred from seeking compensation or any form of legal redress for any harm, including death, inflicted on them by the vaccinations.

271. The Nazi doctors who forced prisoners to take experimental substances -- under contract often from pharmaceutical companies such as Bayer -- were condemned for their crimes by the US Military Tribunal at Nuremberg. In response to this barbarism, a new code of medical ethics was drawn up called the Nuremberg Code, which emphasises the importance of obtaining the individual consent and also adequate information before any vaccination is administered or any medical experiment performed.

272. The Preamble, Constitution and Bill of Rights which are the law of the land, and from which all government bodies derive their authority, make it clear that the citizens of the United States can never legally and constitutionally be stripped of all their rights in the same way that the Nazi prisoners of war were by any legislation or any Presidential executive order waiver, and they can never be forced to take an unproven vaccine under punishment of being shot or imprisoned as criminals and have their their right to compensation abolished by the government in advance without their consent.

273. Articles IV and VIII of the Amendments are two of the articles that give the people of the United States the legal right to refuse a vaccination or any medical experiment to be inflicted on their bodies by force.

Article IV. 'The right of the people to be secure in their persons . . . against unreasonable searches and seizures shall not be violated."

274. This Article makes it clear that provisions in the state and federal health emergency acts to go into houses and seize property if people refuse to accept an unproven vaccine are illegal.

275. Article VIII. "Excessive bail shall not be required, nor excessive fine's imposed, nor cruel and unusual punishments inflicted."

276. Article VIII makes it clear that “cruel and unusual punishments” cannot be inflicted on the citizens of United States, but that all punishments need to be in proportion to the offence.

277. The punishments envisaged for refusing a vaccine are not in proportion to the offence.

Isn’t shooting someone or imprisoning them as a criminal, as the federal government claims the right to do under its draconian emergency health powers, because they refuse to take a dangerous vaccine, classified by their own government as a bioweapon, a cruel and unusual punishment, and therefore an extreme and flagrant violation of Article VIII?

Isn’t putting someone in a “FEMA” camp for quarantine, that is to say, imprisoning them without right to a jury, just for refusing to have an unproven vaccine injected into their body without their consent an “excessive” and disproportionate punishment?

Isn’t abolishing the right of people to claim any compensation for any injury or damage inflicted on them by vaccination with an unproven substance a “cruel and unusual punishment?”

278. Again, it is clear from the Constitution that the government is prohibited from inflicting excessive and unreasonable punishments possible under criminal law and also military law for an action that is a right of every citizen of the United States of America, namely the right to refuse to allow an unknown, potentially lethal substance, to be injected into their body, and any “immunity” that the government confers upon itself as it commits these acts is an illegal and unconstitutional “immunity”.

279. It is legally unconstitutional for the government to treat its citizens, free men, women and children and members of a free state, with rights and dignities that cannot be invaded, as "slaves," and “prisoners” to be subjected to military despotism or arbitrary medical dictates and compelled to take a vaccination on pain of death without recourse to the courts of law or compensation if they are injured as a result of this compulsory vaccination giving them the same legal status as the prisoners of the Nazi concentration camp, that is to say, no legal status and no legal rights.

280. The Nazi concentration camp doctor could force any vaccine into the helpless prisoner without being required to ask for the prisoner’s permission, but the Constitution of the United States prohibits doctors, nurses or other personal from injecting into citizens an untested substance by force and without full approval and consent of the patient.

281. The US Military Tribunal condemned the Nazi doctors at the Doctor’s Trial at Nuremberg of 1946 - 1947. http://www.law.umkc.edu/faculty/projects/ftrials/nuremberg/NurembergDoctorTrial.html

282. In the Nazi concentration camps, prisoners were forced to allow camp personnel perform any operation they wished on their bodies, often barbaric operations, barbaric experiments with drugs and untested substances that resulted in the death in agony of those prisoners, often over a period of days or weeks.

283. But the United States citizen cannot be treated in the same way as a prisoner in a Nazi concentration camp and subjected to the same compulsory vaccinations by medical or military personnel because of the "unalienable" "retained" and "reserved" rights possessed by the People under the Preamble, Constitution and Bill of Rights, Laws and Statues of the land.

284. In Nazi Germany, doctors who refused to go along with the dictates of the totalitarian bureaucratic Nazi state were punished and had their licenses. But doctors who are citizens of the United States cannot legally and constitutionally be forced to go along with dangerous medical experiments on the entire population by threats of having their licence removed.

285. The rights of all citizens cannot be legally invaded or denied by any Government, and so it follows, that mandatory vaccination is always and without exception illegal, unconstitutional, and should be absolutely banned by any court in the US whose judges are themselves not guilty of abusing their office by upholding illegal laws.

286. Not only the Nazi German doctors, but also the Nazi German judges themselves were put on trial at Nuremberg for allowing German citizens in spite of the Constitution of the German Republic, which assigned solid civic rights to all citizens, to be systematically stripped of those rights. http://www.law.umkc.edu/faculty/projects/ftrials/nuremberg/alstoetter.htm

287. That judges stretch the Constitution and laws to the point where they allow any crime and who have been involved in crimes against humanity perpetrated by "government agencies" and the medical establishment are not immune from prosecution is shown by the judgements of the Nuremberg Trial of 1947.

288. Flowing from the judgements against Nazi German functionaries involved in forced vaccinations handed down at the Nuremberg War Crime Trials, it follows that personnel belonging to government bodies, courts and private companies that force the US people to undergo mass vaccination with an unproven substance under threat of being punished as criminals if they do not, and even shot under provisions of criminal law, should be made, both collectively and individually, liable not just for paying damages for those harmed by the vaccine as was the case in 1976 when substantial damages were paid out to victims of the government-mandated swine flu vaccine programme, but also for charges of conspiracy to mass murder.

289. To sanction the narrowing down of the choice of a citizen of the United States, endowed with an extremely wide horizon in which to exercise their free will thanks to the provisions of the Preamble, Constitution and Bill of Rights, to only two options, namely the alternative of taking a dangerous, possibly lethal vaccine, or of being shot or imprisoned as a criminal, is, in effect, to sanction the murder of that individual. For if a person cannot choose except between death by a dangerous vaccine or death by a bullet, then the life of that person is being directly threatened by an outside agent and there is way out for them except death. That person cannot resist a dangerous vaccine by law and they cannot resist it by force.

290. If a government can so violate the basic freedoms of citizens of the United States as to force them to take an untested vaccine for a "swine flu" or other pandemic, then it can force them to do anything, such as, for example, not to drive a car, an activity which has been proven to be far more dangerous to people's health than the swine flu, which has killed relatively few people so far in the USA.

On this logic, a government can force a mandatory reading program on its citizens on the grounds that this is good for

the well being of the individual and the country, and shot or imprison anyone who does not participate without any right to compensation.

291. The right of the citizens of the United States to refuse a vaccination flows from the second article of the Declaration state that "*all men*" are endowed by their Creator with "*certain*" "*unalienable rights*" *among whic*h are *"life" "liberty" and the "pursuit of happiness."*

292. To force the people of America to take a dangerous vaccine which has a high possibility of causing death and injury and so robbing them of their “life”, “liberty” and “pursuit of happiness” is to violate their unalienable right to life, safety, liberty and happiness of the individual.

293. The right to "life" of course is stated first among all the rights granted by the Constitution to a citizen of the United States of America because without life is the prerequisite of all other activities; and the right to "liberty" is stated second, because without reasonable scope to exercise our freedom to pursue our ideas of happiness in our own way, without infringing on the liberty or happiness of others, we enjoy a merely nominal notion of liberty that is useless and meaningless.

294. The right to freedom from dangerous vaccines and other biological agents is directly covered by the “right to life”, and is, therefore, an “unalienable right” of every American citizen today as yesterday that no government can invade.

295. The government’s mandatory “swine flu” vaccine programme is, therefore, not only illegal and unconstitutional, but it is also contrary to accepted norms of medical ethics, which reinforce the right of a patient to decide what operation is or is not to be performed on his own body and blood, including what vaccination to accept.

296. The President has no legal or constitutional right to issue decrees, executive orders or waivers that grant him or any other body, national or international, such as the United Nations or WHO, the right to abolish, limit or infringe on the civic rights of the citizens of the United States of America anchored in the Constitutional Charters of the United States.

297. The Constitution and Bill of Rights judge any President who acts in this way, to be acting illegally, for he is acting in opposition to the very body of laws from which he derives his own authority. Presidential authority has no authority whatsoever when it authorises flagrant violation of the Constitution from which that president derives authority in the first place.

298. As the Preamble, Constitution and Bill of Rights makes clear, the people of United States of America are endowed originally and inherently with all necessary or unalienable rights for life, liberty and happiness, and their government exists simply or chiefly for the purpose of protecting and enforcing these rights. The government cannot grant or deny its citizens rights, which exist inalienably in the people themselves.

No President, no government has the authority to deny the citizens of the United States any of their constitutional rights.

299. Articles IX and X state:

"The enumeration in the constitution of certain rights, shall not be construed to deny or disparage others *retained by the people.*

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or *to the people.*"

300. These Articles underline that the people of the United States are acknowledged to have specific "certain" "unalienable" "reserved" and "retained" rights, and that these rights are divinely conferred and naturally inherent and, therefore, cannot be restricted, limited or infringed upon by any government, in any way, but must be respected, protected and enforced by all governments, and that governments exist for the chief purpose of defending and enforcing these rights.

301. The most basic, essential and obvious right is the right of American people to choose what happens to their own bodies and which treatments or vaccinations to accept and under what conditions, that is to say, the right to “life.”

302. Because the people of the United States of America have the right to decide what vaccination is injected into their bodies as part of their “right to life” and “liberty”, they can never be legally forced to accept an injection of an unproven substance classified as a bioweapon by their own government under threat of a drastic punishment such as being shot as a criminal suspect, and without any recourse to compensation or any right to legal redress.

303. It follows from the above that any government personnel, police, military, doctors or nurses who are participating in such a forced mass vaccination programme are acting illegally and unconstitutionally and without exception, in every single case, with every single vaccination, violating the most

fundamental and inalienable rights of the people of the United States.

304. The Declaration of Independence states that the right of the American people to “life” is “unalienable”, creating a rock-like legal basis for the right to refuse any vaccination.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it."

305. The rights of Americans are expanded on under THE FIVE ARTICLES OF THE DECLARATION OF RIGHTS, JULY 4, 1776.

First: All men are created equal.
Second: All men are endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness.
Third: Governments are instituted among men to secure these unalienable rights.
Fourth : Governments derive their just powers from the consent of the governed.
Fifth : Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it.

306. The Declaration states that there are "Natural" and "Divine" rights that human beings are endowed with, and that these exist before any human laws, charters or constitutions were ever written. These rights antedate, and therefore takes precedence over State and National laws and Constitutions, which, to be valid, must be based on the *fundamental* principles of *inherent human and natural rights* which are *naturally and divinely* and equally conferred upon all human kind.

307. The official title of this document is "The Unanimous Declaration of the Thirteen United States of America," which shows that it is the official statement or code of the foundation governing principles of the New Nation issued by its first Congress and has, therefore, the full effect of a "Constitution," "Pre-Constitution" or "Bill of Rights."

It follows that no government, no president, in spite of any self proclaimed “state emergency” – a “state of emergency” was

also the pretext that the Nazis and Nazi Judges used to destroy the German Constitution -- or any war on terrorism or disease can ever introduce regulations or laws that override these basic rights to life for they are anchored in foundation of the country itself, in the Constitution and its democratic code.

308. The implementation of emergency health powers and martial law will mean will mean the destruction of the Constitution and is therefore always, without exception illegal and unconstitutional.

309. The courts of the United States have handed down clear judgements against forced vaccinations. In 2004, U.S. District Court Judge Emmet G. Sullivan issued a temporary injunction, saying the Pentagon’s compulsory vaccination of military personnel against anthrax was illegal.

Until proven otherwise by the Food and Drug Administration, U.S. District Court Judge Emmet G. Sullivan in his 34-page decision agreed with the contention of unidentified active duty National Guard and civilian defense employees that Anthrax Vaccine Absorbed was an unlicensed, investigative drug and being used for an unapproved purpose.

310. So concerned was Congress about the impact of vaccines that it passed a law amid fears that the use of such drugs may have led to unexplained illnesses among veterans of the 1991 Persian Gulf War, which have come to be known as Gulf War Syndrome.

311. The judgements against vaccinations go back for decades. In 1894 Judge Bartlett, of the New York Supreme Court, in the case of Walters, decided that:

"To vaccinate a person against his will, without legal authority so to do, would be an assault."

312. So, to force someone to take a vaccine against their will is itself an assault or a criminal offence under this interpretation. If the person who is forced to take the vaccine then dies, it flows that not an assault but a murder has been committed. And when a murder has been committed, the US Justice system requires the perpetrators to be brought to justice even if they are government officials or government personnel.

313. Judge Gaynor also of the New York Supreme Court and also in the same year, 1894, in the case of Smith against Health Commissioner Emery of Brooklyn issued a ruling later confirmed by the New York Court of Appeals:

"If the Commissioner [of Health] had the power to imprison an individual for refusing to submit to vaccination, I see no reason why he should not also imprison one for refusing to swallow a dose. But the Legislature has conferred no such power upon him, if, indeed, it has the power to do the like. ... If the Legislature desired to make vaccination compulsory it would have so enacted. Whether it be within its power to do so, and if so, by what means it may enforce such an enactment, are not for discussion here."

Constitutional issues: the legality v. Illegality of jeopardising the Life, health and “public good” by mass vaccinations

314. Flowing from the Preamble, Constitution and Bill of Rights, the purpose of the implementation of any Federal or State government swine flu or any other mass vaccination or medical programme has to be to promote and safeguard the Life, Liberty and Pursuit of Happiness including property and health of people of the United States of America.

315. There is, therefore, an absolute requirement for any vaccination’s beneficial effects for the people of the United States of America as a whole, not just individually but also collectively, to be proven according to generally accepted scientific principles be based on thorough tests and trials and documented in scientific literature and other sources of information.

316. The US government is legally and constitutionally obliged to be dedicated to the fulfilment of the duty to implement only those public health or vaccination programmes using appropriate policy and regulatory frameworks that are proven to be in the best interests of the health of the people of United States of America by the *THE FIVE ARTICLES OF THE DECLARATION OF RIGHTS, JULY 4, 1776.*

317. The Charters of the United State Constitution say that the government derives its power from the People and must exercise its authority only for measures that contribute to the Life, Liberty and Pursuit of Happiness the people, and cannot grant itself “immunity” by a special decree that exempts it from the duties for whose specific purpose it was founded in the first place.

318. Furthermore, the Preamble to the Constitution binds the government to ensure any activity or programme, including a vaccine programme, yields fruitful results in terms of Life, Liberty and Pursuit of Happiness for the People and with

minimal risks and burdens, with the words, "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

"The Preamble to the United States Constitution is a brief introductory statement of the fundamental *purposes* and *guiding principles* which the Constitution is meant to serve. It expresses in *general terms the intentions* of its authors, is sometimes referred to by courts as reliable evidence of what the Founding Fathers thought the Constitution meant and what they hoped it would achieve," http://en.wikipedia.org/wiki/Preamble_to_the_United_States_Constitution

319. The Preamble makes it clear what the ultimate and overriding purpose or goals -- the telos using a term of Aristoteles -- of the application and interpretation of Constitution, the Rules and Statues and also the Government are, namely, "to establish Justice, insure domestic Tranquility, provide for the common defence,[1] promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

320. While the Preamble is not the Law of the Land, it has a binding character of a Law in as far as it sets a clear direction, goal or objective to which activities of the constituent legal and governmental bodies, including the public health bodies of the United States when implementing vaccine programmes, must align themselves in order to have any legitimate authority whatsoever in the first place.

321. All the articles and amendments, laws and statutes must be read in conjunction with the constitution's Preamble, which sets forth a normative structure in which the „general welfare", „justice", „liberty" and domestic democracy have an inseparable relationship for „Posterity". The Preamble's normative meaning is given tangible form by the provisions in the Constitution and the Bill of Rights.

322. The Preamble, Constitution and Law or Code or Statues are inextricably and logically connected. The Preamble is the authority for the Constitution. For anything to have Force and Effect it must have authority. Rules are similar to Regulations, which is how the Law or Code or Statutes are interpreted and enforced. The Code is the Authority for the Rules. The Constitution is the Authority for the Code. The Preamble is the Authority for the Constitution. That means

that the Preamble is the ultimate authority for the Constitution, the Code, the Rules or Statutes.

323. The Preamble can never, not in for Posterity, under any circumstances be detached from the Constitution and the government and its agencies cannot ever be detached from the Constitution and Preamble. This is because the causality between the Preamble, Constitution and Rules involves a logical and not a contingent necessity.

324. The philosopher David Hume in his *A Treatise of Human Nature* (1739–1740) showed that the only necessity that links cause and effect is the logical necessity of a demonstrative argument. By contrast, when a sequence of events is observed in the physical world that is considered causal -- for example, an apple falling down from a tree onto the ground -- these are only impressions of the apple, its motion and its collision, but there is no logical necessity by which the cause brings about the effect. There might be an occasion when the apple does not fall downwards but upwards. We have observed apples falling to the ground every single time but there is no logical necessity for them to fall to the ground every single time.

There is, however, a logical necessity that two plus two always equals four and that logical necessity resides in the ideas of two and two and in the idea of addition of numbers.

Two plus two can never logically equal three.

325. Hume established that there was no argument for linking causes and effects in terms of powers, active forces, and so on but that the only causal necessity was a logical one such as found inherent in the concepts of mathematics and language.

326. Because the Preamble, Constitution and Bill of Rights are artefacts of language and the words have logical relationships between each other that involve the idea of a necessary connection, the causal links between them cannot logically be broken apart.

327. The Preamble, Constitution and Bill of Rights have the same logical relationship between them as two plus two plus two equals six.

A whole can be divided into various parts just as an apple pie can be divided into slices. The Preamble, Constitution and Bill of Rights form one whole but can also be divided into parts for the sake of ease of use by persons seeking to apply the law to specific and concrete circumstances. Nevertheless, the meaning of any law is not contained in one isolated word or paragraphs but in conjunction with the other parts and the

overriding intention expressed in the Preamble, the Constitution and the Bill of Rights, is the ultimate framework or vector for interpreting all the other laws.

328. Those goals that are in conflict with the goals laid down in the Preamble are, therefore, a priori logically and necessarily without any legal force in US law and government.

329. That laws when detached from a Constitution and normative justice can be administered in a way that is unjust is shown by the developments in Nazi Germany when legal manoeuvres were carried out to obstruct and destroy the basic purpose and provisions of the German Constitution, manoeuvres including the privatisation or corporatisation of German government functions, putting them into a „legal void“, referencing not the Constitution or normative justice, but the “performance targets” of their „corporate owners.“

330. That it was illegal and unconstitutional for the Nazis to use the manoeuvre of corporatising government functions and replacing laws with regulations is underlined by the judgements of the US Military Tribunal at Nuremberg.

331. Under the Federal Register Act of 1935, an attempt was made to detach the operation of government agencies from the goals laid out in the Preamble, Constitution and Code, binding by virtue of the logical necessity inherent in the ideas expressed in these Charters on all government activities, by assigning to those government functions the status of private corporations, and in a way that the constitutional mandates and goals of the Preamble did not attach to them.

332. As a result, corporations under private law were created that appeared to be able to operated outside the Preamble and Constitution and Bill of Rights on a technicality.

333. The people working for the agencies were given the status of private sector employees and were no longer public officers with an Office bound to the Preamble and Constitution.

They were employed under contracts of corporate law that made no reference to the Preamble and Constitution, from which they derived their entire authority from in the first place.

They were given the status of simple mercenaries with some of them armed and some of them unarmed, who worked for money and were required to perform certain duties laid down by their employers by and through "cooperative agreements", "performance of services contracts", "grants", "memorandums of understanding", "incentive programs" and on and on which are controlled by the Federal government.

334. However, the privatisation or corporatisation of the functions of government, including public health functions, is not logically and legally the same as the privatisation or corporatisation of the ideas and Charters underlying a government and its functions. The Preamble and Constitution remain the ultimate authority over these agencies because they are the original and sole cause or authority of all government activities, including the activities of privatised public health government agencies.

335. The limits of privatizing government functions and detaching them from the Constitution and allowing them to operate as “corporations” with employees accountable to no one except to their employer in a “law free” zone are shown by the Nuremberg Trials.

German government functions that were “privatised” or handed out to newly created corporate-like bodies charged with performing specific functions, for example, the Gestapo, charged with internal surveillance, and the “SS Totenkopf Verbände”, or death squads, charged with administrating the Nazi concentration camps, were still held accountable after the war for the “fruits” or “results” of their work.

A mere declaration by the “employees” of the SS and Gestapo that they were following orders from their “employer”, and working with utmost efficiency to reach performance targets, such as killing so and so many prisoners a day in the camps, was regarded as insufficient by the US Military Tribunal to absolve them of their responsibility before the law of their crimes.

The Nuremberg Trial judgements show that no government can privatise an essential government function in way that detaches from the activities of an agency from normative justice, the law or principles of a Constitution Republic.

336. Moving a government function into an entirely “law-free” “corporate” economic zone where the only dictates that apply are those of efficiency, targets and performance and contracts without an reference to the ultimate “fruits” of those “efficient” activities is prohibited by law.

Murder is murder whether it is done efficiently by privatised government agencies or not. Torture is torture whether it is done efficiently by privatised government agencies or not.

Infringements on liberty are infringements whether they are done efficiently by corporations or not.

337. The regulations that these Nazi German “corporations” produced to carry out their mass murder and surveillance were deemed illegal.

338. Regulations are not the same as the law. That is the judgement of Nuremberg. Corporate regulations do not confer authority and legitimacy. Only the Constitution and the Law confer authority and legitimacy.

Presidential or Leader waivers and executive orders that gave an air of legitimacy to a criminal system were deemed illegal at the Nuremberg Trials if they were not in alignement with normative justice and the Constitution.

339. This, then, is the judgement of the Nuremberg Trials. No act of “privatisation” on the authority of the government can abolish normative justice and the essential mandate of the Constitution from which all government bodies derive their legitimacy. Privatised government agencies must, therefore, also act within the terms of the Preamble and Constitution no matter and corporate contracts cannot abolish this relationship.

340. Corporate contracts can only regulate the activities of the people working inside the corporation but not the legal relationship between the corporation and normative justice and the Constitution.

341. For the President by means of the use of decrees or the government to create government bodies that are in total opposition to a Constitutional Republic where all people a right to Life, Liberty and Pursuit of Happiness including property is, therefore, illegal and unconstitutional.

342. Officials are always directly accountable back and though their Office to the Constitution, to the People by virtue of the obligations and legal relationships that flow from the Preamble, Constitution and Bill of Rights that subordinate all other activities to these.

343. Federal Law and Regulations prohibit the use of investigational new drugs, including unproven vaccines, without informed consent of recipients 51. 10 U.S.C. § 1107 (2000) provides that investigational new drugs or drugs unapproved for their intended uses may not be given to members of the Armed Forces without their prior consent except in the case of a waiver by the President of the United States. However, Presidential decrees are not mandated by the US Preamble, Constitution and Bill of Rights with its democratic code.

344. Executive orders issued by Adolf Hitler, the de facto President of Nazi Germany (who won democratic elections in 1933) of German citizen's constitutional rights was not considered adequate justification for violating those rights and the rules of normative justice by the US Military Tribunal at the Nuremberg Trials.

345. Therefore, the various government agencies created by the Federal Act of 1935 also have to be subordinated to th central overriding purpose and goals of the Preamble and Constitution, namely Life, Liberty and Pursuit of Happiness, irrespective of any corporate contracts.

346. Essential government functions, including public health functions and mass vaccination programmes, cannot be detached by an act of "privatisation" or "corporatisation" from the Preamble, Constitution and Law of the land and from the goals they mandate.

347. They can never legally and constitutionally be detached from or given a life independent of the Preamble and Constitution and Law because this is the ultimate source of their authority in the first place.

The public agencies in United States of America cannot be turned into an apparatus for killing Americans by means of deliberately or accidentally contaminated and/or shoddily manufactured vaccinations under any law for the enrichment of pharmaceutical companies, the banks that own those companies or by any foreign powers that gain undue influence over the US government.

348. The abolition of the relationship between the Preamble and Constitution and the activities of the government agencies under the Federal Act of 1935 is a legal fiction.

349. Any judge who attempts to interpret laws in a way that is not alignment with the overwhelming intention of the Preamble, Constitution and the Bill of Rights, namely, to protect the Liberty, Life, Happiness, including health and property of the people of America, and to hold the government agencies, including the public health agencies, accountable for doing the same, has failed to understand the objective, logical necessity inherent in these documents.

As mentioned, there is a precedent for making judges accountable for failing to uphold the objective necessity of normative justice of the Preamble and Constitution and for allowing a tyrannical government to hollow out the rights of citizens. That precedent is in the Nazi German Judges Trial conducted by US Military Tribunals at Nuremberg in 1947 when German judges and lawyers were held to account for their

wilful, sophistic and perverse interpretation of the German Constitution, which, like the US constitution, assigned civil rights to individuals and limited the power of the government, thereby allowing the Nazi government to carry out the de facto abolition of all those civic rights and government limits with a veneer of legality.

350. The goals laid out in the Preamble are not law, but they still have the absolute and binding character of a law, and that binding character extends to all courts and to all government functions, privatised or not.

351. The Preamble requires that the Constitution and laws and goals of courts and government agencies are always and without exception interpreted in such a way as to contribute to the goals laid down in the Preamble, including the continuation of the Constitution in perpetuity, so eliminating sophistry, which can be used to justify the opposite of the logical necessity inherent in the law by playing with words and semantics or taking elements of the law out of their context.

352. The US Constitution also mandated a tripartite government, a separation of powers, and these various powers cannot be combined altogether into the Administrative State, i.e. fourth branch, by an act of legislation, which detaches the Administrative States from the Preamble and Constitution by virtue of logical necessity.

353. The courts in the Administrative State cannot force out the Constitutional Courts and replace them with the other "jurisdictions" such as Administrative, Equity, Maritime and so on.

They are the custard on the apple pie of the Preamble, Constitution and Statutes, to use a metaphor. The custard goes on top of the apple pie. It is not served instead of the apple pie. If you go to a diner and ask for apple pie and get only custard, the diner owners would be judged in breach of duty.

354. The existence of the various branches of Administrative law, such as Equity and Maritime law, cannot be used as an excuse to serve the American people custard when they have asked for, and, more importantly, when they have the legal and constitutional right to, apple pie.

355. The courts and government agencies derive their authority solely from the contribution they make towards creating a balanced, just and equitable society, that is to say solely from the Preamble and Constitution and Statues, and their adherence to the normative justice and end-goals or telos formalised in these documents.

356. Administrative courts were also at work in Germany during the totalitarian Nazi rule after the German Constitutional Courts were neutralised by the Dictator Adolf Hitler and his Nazi judges. However, the mere functioning of the Administrative State churning out masses of regulations to create a totalitarian bureaucracy that disguised the total lawlessness during the entire existence of the Nazi rule was not enough for Nazi Germany to be spared the judgement of being a criminal state by the US Military Tribunal at Nuremberg.

“For the good of the State”, the Nazi legal precept, was not considered to be the same as “For the good of the People.”

357. That the State itself can be found to be criminal is underlined by Nuremberg. Government bodies that subordinate their functions to a criminal state are also criminal. That is the judgement of Nuremberg.

358. The People and precepts of normative justice that serve the People must always remain primary under the Constitution.

359. A judge who in a wilful interpretation of the laws fights the interests of the pharmaceutical industry or the banking industry in some corner of Administrative law at the expense of the Constitution, the Preamble and the People, from which that judge alone derives any legitimate authority, for whatever reason a judge might be so inclined, is also a priori exercising his office illegally and unconstitutionally.

360. Even assuming the primacy of Administrative law over the Preamble and Constitution, a mass “swine flu” or other pandemic flu vaccination programme would still be illegal.

361. To reframe the argument for a mass swine flu vaccination in terms of equity law, for example, a mass flu vaccine programme must leave the American people in credit when it comes to their health, happiness and life in spite of the government asking them for a debit in terms of requiring them to take a vaccination and so accept a jab and a disease into their bloodstream.

362. By contrast, a vaccine programme involving bioweapons by vaccine companies such as Baxter with a dismal record of safety that leaves the majority of people of America overwhelming in deep debt, suffering a loss of health, life and property or in detention, and in a manner that prohibits them from seeking a legal or financial redress in the form of compensation, that is, suffering a damage that is irreparable, is illegal, and the profit of a tiny group from this is illegal.

363. It follows therefore not only from the Preamble, the Constitution and Bill of Rights but also from the application of the principles of Equity law that no mass vaccination programme should be conducted where there is an a priori reason to believe that death or injury will occur on a scale that far outweighs any benefits.

364. As part of their legal and binding obligation under the Preamble to ensure the health, justice and life of the people of America, the US government is prohibited from taking a reckless gamble with the very lives, health whose maintenance is the sole purpose and object of the Constitution by forcing on the People a random, unnecessary and unknown drug.

365. In the judgement of Jacobson v. Commonwealth of Massachusetts, 197 U.S. 11 (1905), the plaintiff was forced to take a small pox vaccination because, it was argued, such a vaccine helped to protect the whole community. A citizen has obligations to the state in which that citizen is embedded. Nevertheless, the protection of the whole was considered to be the legal justification for forcing an individual to take the vaccine.

366. The Supreme Court examined the issue of whether involuntary vaccination violated Jacobson's "'inherent right of every freeman to care for his own body and health in such way as seems to him best . . . " The Court bifurcated this question, first considering the right of the state to invade Jacobson's person by forcing him to submit to vaccination:

This court has more than once recognized it as a fundamental principle that "persons and property are subjected to all kinds of restraints and burdens, in order to secure the general comfort, health, and prosperity of the State; of the perfect right of the legislature to do which no question ever was, or upon acknowledged general principles ever can be made, so far as natural persons are concerned."' (at 26)

With this language, the Court stated the basic bargain of civilization: an individual must give up some personal freedom in exchange for the benefits of being in a civilized society. Jacobson sought to enjoy the benefit of his neighbors being vaccinated for smallpox without personally accepting the risks inherent in vaccination. The Court rejected Jacobson's claim, which it viewed as an attempt to be a free-rider on society. „

367. However, scientific advances have shown that vaccination actually increases the virulence of a virus and so increase the danger to the community.

368. In view of all the evidence of adverse events from vaccinations recorded upon a mass of people with a range of

genetics, no court can nowadays argue that it is for the "public good" that people are vaccination. The idea that there is a "herd immunity" has been proven to be without any substance. Scientific advancement has shown that "herd immunity” is not only outdated but actually false.

369. It was the act of mass vaccinations in 1918 that actually *caused* the deadly Spanish flu pandemic, according to experts. [reference]

370. Therefore, the judgement of 1905 on vaccines based on outdated science cannot be the judgement of 2009. The courts must be informed, adjust to the new and huge body of scientific evidence available that vaccinations cause diseases to spread and become more virulent, especially if the virus and vaccine are engineered in laboratories by the same companies, and on the basis of this information, they are legally and constitutionally bound to make judgements to promote the health and well being of the American people.

The Issue of Compensation

371. The US government has passed legislation exempting them from the consequences before carrying out their bioweapons attack.

372. Compensating patients who are harmed as a consequence of participation in a vaccination programme is a well established principle of US law.

373. The US federal government currently has a programme that gives compensation to victims of government mandated vaccinations.

374. Victims of the 1976 government-mandated swine flu mass vaccination programme won more than a billion dollars in damages for the injuries they suffered as a result of vaccines.

375. Compensation is a mechanism by which the vaccine companies have an incentive to act in the interests of the people, and not manufacture products that cut costs and are dangerous.

376. And yet this compensation is to be waived now under The Model State Emergency Health Powers Act, the National Emergency Act, NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20.

377. So, just at the time when Americans are being asked to take upon themselves the greatest risk of a pandemic vaccine not proven, or rather proven to have killed people in Poland, they will not be able to claim no compensation.

380. For the US government to force the people of America to sign away their right to compensation, individually and collectively, for a vaccine that is classified as a bioweapon by that same government, and which they are being compelled to take at pain of death or imprisonment while not adequately regulating the vaccine manufacturers in spite of lapse after lapse is illegal and unconstitutional.

For the government of the USA is not mandated by the Preamble, Constitution and Bill of Rights to seek the Life, Liberty and Happiness of pharmaceutical companies and the banks that hold shares in vaccine companies by supplying them with a huge market of unwilling subjects to inject whatever substances they chose into those people.

The government of the USA only has legitimate authority in as far as it serves the People of the United States and their Life, Liberty and the Pursuit of Happiness.

381. Such a blanket enforced waiver is illegal and unconstitituional: only the invidivual can waive their own right to compensation and only after being adequately informed and giving their consent.

382. The principle that the patient must always consent of their free will to a vaccination was established at the Nuremberg Trials when Nazi German doctors were held to account for injecting unknown substances into Nazi concentration camp inmates.

383. Just as Navy personnel are being forced to take vaccinations for human clinical trials for Vical, the concentration camp inmates of Nazi Germany were given substances for testing by companies like Bayer.

384. The US government now wants to abolish the right of the entire nation not only to refuse but also to claim any compensation if they are injured.

385. What will happen when people are given a vaccine similar in lethality to the one in Poland, but cannot claim any compensation?

386. When the US government forces the people of America to take an uknown vaccine for which they are a priori banned from asking for compensation for death or injury, the government

has moved beyond equity or administrative law and into criminal law with the government acting criminally.

When an American is forced at gunpoint under criminal law to take a vaccination but are barred from any form of legal or financial redress if they are injured or killed, then they have the same rights as the Nazi concentration camp inmates, who were also forced to allow unknown substances to be injected into their bloodstream at gunpoint and who were also barred from seeking any from of redress whether in the form of financial compensation or before the law courts because the Nazi government de facto waived their right to do so.

387. Furthermore, if the government absolishes the requirement to pay compensation to those injured or killed as a result of a swine flu vaccination, then the government is telling the vaccine companies it has a carte blanche to do what it wants. It doesn’t matter who dies or is injured as a result of shoddy vaccines. The companies will never be held to account.

388. The burden of risk or debt has to be born entirely by the people while the credit or profts in the form of revenue from sales, higher share prices and better dividends acrrue solely to the pharmaceutical companies and the banks that hold stock.

389. By waiving the right of the people of America to claim any compensation and offering blanekt immunity, vaccine companies have a financial incentive to sell as many vaccines as possible as expensively as possible while producing them as cheaply as possible by cutting quality control standards to maximise their companies.

390. Baxter, another key vaccine supplier, is currently facing lawsuits for adultering Helperin with cheaper ingredients to maximise profits resulting in death and injury.

If this is the way, Baxter is behaving when it can still be sued for killing and injuring people by putting in cheap and unapproved ingredients, how will it behave when it cannot be sued for damaging vaccines?

Are the people of America going to be forced to accept into their blood an unproven, untested, toxic drug that count as bioweapons under the government’s own definition and cost about the minimum to produce irrespective of the danger?

391. The principle of compensation is there to ensure equity in a transaction over the long term. A buyer buys a product from a seller. If the product proves to be wilfully and negligently faulty, the buyer can claim compensation. An American takes a vaccine from a manufacturer. If the vaccine

proves to be wilfully and negligent faulty and to lead to death and injury, the person can claim compensation

The mechanism gives an incentive to companies to produce products of reasonable quality. What incentive to vaccine companies to ensure quality controls when they are given a blanket immunity from any damages they cause no matter how faulty their work?

Today, when people can claim compensation, companies are still producing shoddy products. What will the companies do when people can’t claim compensation? What right did the government have to waive the compensation of the American people?

392. The Preamble, Constitution and Bill of Rights prohibitts the government from forcing the people of America to take a shoddily made vaccine without adequate controls from bodies such as the FSDA and WHO under gun point signing away their right to compensation collectively in advance.

393. If it is the intention of the government is to produce vaccines to the highest standards then the government should embarace the compensation mechanisms. Because damages is a mechanism to enforce high standards on companies and so act as a counterweight to the pure profit motive.

If the government has blocked damages, just how confident can they be of the safety and the quality of the vaccines?

394. The people of America are expected to bear all the risks or buy up all the debt, but have been told in advance that they will never be able to recover their losses. And whatever they do, their losses will be huge. If they take the vaccine from companies that have admitted to the deliberate contamination of their drugs, who have a record of causing death and injury and nearly triggering pandemics, they could lose their health, liberty and life and property will be confiscated from them.

395 If they do not take the vaccine, they will lose their liberty and possibly life and their property will be useless to them.

396. To confiscate property for refusing to take an unproven vaccine at gun point is actually theft and robbery.

If I refuse a vacine that will harm me and as a result my assets are taken by force by another, I am being held to gun point and robbed.

397. The US government cannot legally and constitutionally expect the citizens of the US to bear the entire risk and loss

of the mass vaccination programme themselves while failing to hold the FDA to account for lapse after lapse.

398. These lapses go beyond negligence. They show a pattern of activity, a pattern of activity by key government bodies to protect the vaccine companies at all costs.

399. Since the government has granted immunity to vaccine companies, every indidivual knows that no one will take care of them medically when the vaccine injurs them. Since the risk of injury and the emotional and financial burden of subsequent recovery is borne exclusively by the individual alone, the individual exclusively has the right to decide whether to obtain said innoculation and bear the risk, or to avoid the risks of an untested vaccine and to take normal precautionary measures.

Inadequate performance of the government in stopping the spread of the swine flu.

400. No one can expect the government to hold the citizens of the nation to a higher standard than it holds itself, and yet that is exactly what the current administration is doing.

401. The necessity for a mandatory vaccine or multiple mandatory vaccines could have been avoided by early curtailment of the virus' spread says an expert. Hong Kong virologist and SARS expert Yi Guan says the World Health Organization erred in not responding fast enough to the outbreak and thus contributed to more cases being spread rapidly. The fact that the borders were not closed and airplane flights were not halted into Mexico or departing from Mexico furthered the spread of the swine flu. (Stone, SARS Sleuth Tracks Swine Flu, Attacks WHO, 2009) http://sciencenow.sciencemag.org/cgi/content/full/2009/504/1?etoc

402. Americans for Legal Immigration PAC called on the Obama administration April 27 to immediately close the southern border to Mexico and restrict all inbound air and ground traffic from Mexico to emergencies and product delivery to protect American lives from the Mexican Swine Flu outbreak., but the borders were left open.

403. Conservative Caucus and Judicial Watch have uncovered evidence of a Canada/US/Mexico policy to leave Borders Open during Pandemics.

http://www.youtube.com/watch?v=9q9MSVYWLtA

In addition, the Department of Homeland Security would not allow Border Guards to wear protective masks to protect

themselves and their families from further outbreaks. Only intervention from Congressmen Bilbray (R-CA) and Burgess (R-TX) had Border Guards were finally allowed to wear masks. denials by DHS that it hadn't prohibited mask wear by Border Guards.

404. The "Model State Emergency Heath Powers Act" allows the Government to seize and or quarantine a town and all the people within it.

But why does the government decide on such drastic measures when it comes to towns and cities while allowing the borders to remain open?

405. When individuals take precautionary measures and their government does not - i.e. closing the borders, etc. - forced innoculations in the face of open borders and unrestricted air travel fly in the face of reason.

406. Quarantining towns and cities and injecting someone without consent must be viewed as a more servere response than a simple restriction of international or interstate travel.

407. Injection of an untested substance into one's body, without consent, is a violation of the sanctity of life upon which all of our laws are based, and in mechanics and effect, is tantamount to rape.

408. Were it not the government performing such a mass, forced inocculation then the perpetrator would surely face assault charges, if not for unlawful imprisonment, abduction, and mutilation and possibly even murder or mass murder.

Biological weapons

409. Biological weapons have a long history of use. In 1346, the invading Tartar army catapulted the bodies of plague victims into the Crimean Peninsula city of Kaffa and infected its citizens. In 1763, British troops under General Jeffrey Amherst gave the Delaware Indians blankets used by people with smallpox, possibly infecting the susceptible native population.

410. Medical historians have concluded that the Spanish flu “epidemic” of 1918, which killed an estimated 50 million people, was caused by the widespread use of vaccines. It was the first war in which vaccination was compulsory for all servicemen.

The Boston Herald reported that forty-seven soldiers had been killed by vaccination in one month. As a result, the military

hospitals were filled, not with wounded combat casualties, but with casualties of the vaccine.

411. In 1948 Heinrich Mueller, the former head of Nazi Germany’s Gestapo, told his CIA Interrogator that the most devastating plague in human history was man-made.

He was referring to the influenza pandemic of 1918-1919 that infected 20% of the world’s population and killed between 60 and 100 million people. This is roughly 3 times as many as were killed and wounded in World War One, and is comparable to WWII losses, yet this modern plague has slipped down the memory hole.Mueller said the flu started as a US army bacteriological warfare weapon that somehow infected US army ranks at Camp Riley KS in March 1918, and spread around the world.

412. At a 1944 Nazi bacteriological warfare conference in Berlin, General Walter Schreiber, Chief of the Medical Corps of the German Army told Mueller that he had spent two months in the US in 1927 conferring with his counterparts. They told him that the “so-called double blow virus” (i.e. Spanish Flu) was developed and used during the 1914 war. “But,” according to Mueller, “it got out of control and instead of killing the Germans who had surrendered by then, it turned back on you, and nearly everybody else.” (”*Gestapo Chief: The 1948 CIA Interrogation of Heinrich Mueller*” Vol. 2 by Gregory Douglas, p. 106) Actually the Armistice took place Aug 11, 1918.

http://elliotlakenews.wordpress.com/2006/12/08/was-the-spanish-flu-man-made/

413. According to Dr. Jerry Tennant, the widespread use of aspirin during the winter that followed the end of The Great War could have been one of the key factors that contributed to the earlier pandemic by suppressing the immune system and lowering body temperatures that allowed the flu virus to multiply. Like aspirin, modern-day antiviral drugs like Tamiflu® and Relenza® also lower body temperatures, and therefore can also be expected to contribute to the spread of a pandemic.

„What is new about this virus is that it has a mixture of DNA from animals, birds, and humans! Normally viruses are species specific. Viruses that cause illnesses in hogs can rarely be transmitted to humans, but that virus usually cannot be transmitted human-to-human. Although some express confusion about how this virus could have mutated in a way that a hog virus and a bird virus could mix with a human virus and cause human to human transfer, it is known that mixing of viral DNA has been done in laboratories.

Except for the fact that the DNA of this virus is suspect, we should not expect to have an epidemic that kills many people. One of the reasons is that viruses usually do not kill people—they just make you feel bad. What killed the majority of people in 1918 was that the flu allowed people to get bacterial pneumonia from Streptococcus. That is what kills you. We are much better able to deal with bacterial pneumonia now than they were in 1918.

However, the genetically altered viruses like the AIDS virus have killed many. That is the reason for current concerns.

In 1897, the German company Bayer patented aspirin. Their patent expired in 1917, just at the end of World War I. Many of the returning American soldiers brought it back to their families. It was the first time that there had been widespread use of aspirin with the flu. It is known that when a virus attaches to a cell, it cannot duplicate if there is a fever, but it will make a million copies of itself if the temperature is low. Thus lowering temperature with drugs allows viruses to multiply! It is also known that aspirin and drugs like it suppress the immune system making it easier for bacteria to grow. This makes it easier for pneumonia to occur. It is not clear how much aspirin contributed to the spread of the 1918 flu. A current problem is that the antiviral drugs, Tamiflu® and Relenza® lower body temperature. It is not uncommon to see people get the flu and start one of these drugs. They feel better. Then a week later, they have pneumonia.

Since 2003, there have been multiple warnings that the H5N1 bird flu virus would kill millions of people. Only 257 people are known to have died from the bird flu! Over 1,000,000 people get malaria every year, but there are no dire warnings from the World Health Organization or President Obama about malaria!

Can there be other reasons that we are being frightened about a flu pandemic? The Bush administration bought $1.4 billion of Tamiflu® "to combat the bird flu". The Obama administration wants to buy enough to treat 25% of the American population. Other governments are stockpiling it as well. This is despite the fact that Tamiflu® doesn't work for the bird flu and is not likely to work for the swine flu either. "After following WHO protocols in treating 41 victims of the H5N1 bird flu virus (19% of the worldwide cases of bird flu reported to date), Nguyen Tuong Van, MD, who runs the intensive care unit of the Center for Tropical Diseases in Hanoi, Vietnam concluded that Tamiflu®, the drug most widely stockpiled around the world to combat a potential bird flu pandemic, is "useless". (Wikipedia) Thus, the American taxpayers paid billions of dollars for a drug to treat about 100 cases per year of the bird flu. Someone made a lot of money from a drug

that does not work for an epidemic that never happened. They are making even more money this year. If only we were using that money for something useful like treating malaria!“ writes Tennant.

Scientists are opposing a plan in Japan to mass vaccinate against the “swine flu” on the grounds that the virus will re-assort itself into a hybrid H1N1/H5N1 strain or mutate into a new, more lethal H5N1 strain. The nightmare scenario is that the mutated virus may take on the characteristics of H5N1 or the avian flu

http://www.rense.com/general85/a1.htm

„The AH1N1 virus has infected some 100 students in Kobe, Japan. Many of the students have no history of traveling abroad. There are plans underway to begin a mass vaccination against AH1N1. However, there are misgivings in the international research community about administering an AH1N1 vaccine.

The fear is that once a vaccination against AH1N1 is started, the virus will re-assort itself into a hybrid H1N1/H5N1 strain or mutate into a new H5N1 strain. The current AH1N1 strain, as previously reported by WMR, contains synthetically gene-spliced strains of two forms of human flu viruses, two forms of swine flu viruses, and a single form of avian flu virus.

What researchers have told us is that as long as the current AH1N1 can infect humans, it will not try to mutate. Even though there have been deaths from AH1N1, most of those infected are sick for up to four days, take Tamiflu or similar drugs, and recover with immunity from the hybrid or "novel" virus. The vaccination program will be a profit maker for such Big Pharma firms as Sanofi-Aventis, GlaxoSmithKline and Baxter International.

However, with vaccinations, the AH1N1 virus will, of course, be rejected by human hosts and cases around the world will decrease. However, then, the virus will begin to mutate in order to successfully infect human hosts. And when that happens, the new, newly-mutated virus will become much more transmissible and more pathogenic.

The nightmare scenario is that the new, mutated virus may take on the characteristics of H5N1 or the avian flu. The vaccines administered for AH1N1 will be ineffective against the new strain of H5N1 and the world may face a more deadly pandemic then the current AH1N1 outbreak. There are scientists at WHO who are aware of this scenario but their alarm has been suppressed by political and economic considerations. „

Precedents: the abandoned swine flu mass vaccination program of 1976

414. In 1976, a mild swine flu swept through the United States. President Gerald Ford mandated a mass vaccination programme -- which was carried out by the same vaccine companies as today -- that had to be abandoned because of the catastrophic results.

415. President Ford was acting on the advice of medical experts, who believed they were dealing with a virus potentially as deadly as the one that caused the 1918 Spanish influenza pandemic.

416. The virus surfaced in February 1976 at Fort Dix, New Jersey, where 19-year-old soldier, Pvt. David Lewis, told his drill instructor that he felt tired and weak, although not sick enough to skip a training hike. Lewis was dead with 24 hours.

417. The autopsy revealed that Lewis had been killed by "swine flu," an influenza virus originating in pigs. By then several other soldiers had been hospitalized with symptoms. Government doctors became alarmed when they discovered that at least 500 soldiers on the base were infected without becoming ill.

418. The incident recalled 1918, when infected soldiers returning from the trenches of World War I triggered a contagion that spread quickly around the world, killing at least 20 million people. The nation's health officials urged Ford to authorize a mass inoculation program aimed at reaching every man, woman and child.

419. Mass vaccinations started in October, but within weeks reports started coming in of people developing Guillain-Barré syndrome, a paralyzing nerve disease, right after taking the shot. Within two months, 500 people were affected, and more than 30 died. Amid a rising uproar and growing public reluctance to risk the shot, federal officials abruptly canceled the program Dec. 16.

420. In the end, 40 million Americans were inoculated, and there was no epidemic. A later, more technically advanced examination of the virus revealed that it was nowhere near as deadly as the 1918 influenza virus. The only recorded fatality from swine flu itself was the unfortunate Pvt. Lewis.

Healthy men, women and children went to receive the untested swine flu injection and died as a result of the injection. Others received permanent injuries.

421. The programme was stopped. An Australian doctor, Archie Kalokerinos, gave his account of his involvement in the 1976 swine flu pandemic:

„In 1976 I was working in the far north of Australia amongst Aborigines. I observed, in one community of only a few hundred people, when they were given the flu vaccine (probably the Victorian strain but this detail does not really matter because nobody outside a few selected individuals really knows what is in any particular batch), six men died suddenly soon afterwards. They were not all 'old'. One was in his early twenties. A few weeks later, in another community I found that individuals with heart or potential heart problems or diabetes were particularly likely to drop dead soon after being given the vaccine.

Obviously, there was a problem with some batches of the flu vaccine.

A few months later I was in America. President Ford had been told by his health advisers that there was going to be a huge epidemic of 'swine flu', that this could kill may thousands and the only way to prevent this catastrophe was to vaccinate the entire population of America – every man woman and child - with a specific vaccine.

So the vaccine was manufactured and the biggest vaccination campaign in history was begun. I was concerned because the vaccine could not be properly tested in a short period. None of the recipients would know anything about what they were being injected with and the chances were that many would die suddenly. Furthermore, it was extremely unlikely that an epidemic of swine flu would occur. So I spoke out. At first the newspapers got hold of what I said and headlined, 'Australian Physician Call It Mass Murder'. Then I appeared on Kathy Crosby's television program.

Watching that was a man in New York who did not like a gentleman named Gambino the Mafia boss. Gambino was about 70 years old and had a history of heart problems. It was a simple matter to get someone to persuade Gambino to have the flu shot and Gambino obliged by dropping dead. The newspapers got it right when they stated, 'Mafia Flu Jab Conspiracy'.

People were dropping dead in the buildings where they received their shots. Others became paralyzed. The whole program ground to a halt.

President Ford decided to settle the matter quickly. In front of the whole world, on television, he rolled up his sleeve and 'had his shot'. I claimed at the time that he was given a 'dud' shot and I am certain that this was actually done. Then

President Ford invited all the news media men and women who were milling around to line up and have their shots. Only one man volunteered and he happened to be the White House press secretary. All the others refused the invitation.

There was not a single case of swine flu. There never was going to be an epidemic of swine flu. How was it that the world’s most powerful man with the world's greatest department of health got it all so wrong? No one really knows the answer but what ever it is it is certainly not clean and tidy.

Furthermore, as far as I know I was the only practicing doctor who spoke out against it and warned about almost certain consequences. How was it that a doctor with only basic qualifications and not even the possessor of American citizenship stood out alone? There was at least one researcher, Anthony Morris, who did try to speak out but he was at the time censored and censored very hard.

This, therefore, is a classical example of how only one man got it right and everyone else got it wrong. This is an important consideration because, when the subject of vaccines is discussed the fact that the vast bulk of the medical establishment states that something is so it is not, in reality, necessarily so. If the establishment can get something so vast and important as the swine fiu vaccine campaign so wrong then it is logical to reason that they could also get a lot of other things wrong. At least it gives reasons to doubt what the establishment claims to be fact. If doctors and members of the general public considered this fewer errors would be made and fewer individuals would suffer unnecessarily.
http://webpages.netlink.co.nz/~ias/swine.htm“

Claims of over $1.3 billion came from victims of the vaccine that caused severe paralysis and Guillain-Barre Syndrome.

FIRST CAUSE OF ACTION

402. Plaintiffs reallege the facts in Paragraphs 1 through 401 as if fully set forth in this Count.

Defendant HHS, DHS, WHO and UN will inoculate Plaintiffs with an unproven swine flu vaccine that was bioengineered in a laboratory and that is classed as a “bioweapon” according to the US government’s own documents within the immediate future.

Defendant the President of the United States, HHS, DHS, WHO and UN have passed laws and made statementss that Plaintiffs will be ordered to submit to unproven swine flu vaccinations in the coming weeks or months, making it a concrete, present reality to the Plaintiffs.

The Defendant's failure to follow federal law, creates a legal wrong against the Plaintiffs. Plaintiffs are entitled to seek review of Defendant's actions under the Administrative Procedure Act, 5 U.S.C. § 702.

SECOND CAUSE OF ACTION

Plaintiffs reallege the facts in Paragraphs 1 through 401 as if fully set forth in this Count.

The HHS, DHS, WHO and UN have tasked vaccine companies with producing the vaccine have been involved in the activities of the type typical of bioweapons, including developing weapnized viruses, releasing them into the general public (Baxter, Austria), deliberate contamination of vaccines resulting in death and injury and designing trials of vaccine to cause death and injury (Novartis) and there is a high probability the vaccines will be cause injury or death.

The FDA tasked with controlling the quality of the vaccines is performing inadequately.

The HHS, DHS, WHO and UN and FDA are ordering Plaintiff's to submit to a vaccination with a substance which counts as bioweapon without taking steps to ensure it is safe and so increasing the likelihood of death and injury to the Plaintiffs.

The Defendant's failure to follow federal law, creates a legal wrong against the Plaintiffs. Plaintiffs are entitled to seek review of Defendant's actions under the Administrative Procedure Act, 5 U.S.C. § 702.

THIRD CAUSE OF ACTION

Plaintiffs reallege the facts in Paragraphs 1 through 401 as if fully set forth in this Count.

The President, HHS, DHS, WHO and UN are compelling the Plaintiff to submit to the vaccination of a substance classified as a bioweapon without seeking the Plaintiff's informed consent, and by criminalising a refusal and introducing punishments such as quarantine and the seizure of property in violation of the Constitutional rights of the Plaintiffs.

The Defendant's failure to follow federal law, creates a legal wrong against the Plaintiffs. Plaintiffs are entitled to seek

review of Defendant's actions under the Administrative Procedure Act, 5 U.S.C. § 702.

FOURTH CAUSE OF ACTION

Plaintiffs reallege the facts in Paragraphs 1 through 401 as if fully set forth in this Count.

The President, HHS, DHS, WHO and UN are compelling the Plaintiffs to waive their right to claim compensation in the event of injury or damage.

The Defendant's failure to follow federal law, creates a legal wrong against the Plaintiffs. Plaintiffs are entitled to seek review of Defendant's actions under the Administrative Procedure Act, 5 U.S.C. § 702.

FIFTH CAUSE OF ACTION

Plaintiffs reallege the facts in Paragraphs 1 through 401 as if fully set forth in this Count.

The President, HHS, DHS, WHO and UN are misusing the Plaintiffs to become “vectors” to spread the pandemic because the act of mass vaccination, that is to say, forced injections of of toxins under guise of offering prophylactic treatment into the population is the process, which will itself allow the virus to mutate and release a fully weaponized virus.

The Defendant's failure to follow federal law, creates a legal wrong against the Plaintiffs. Plaintiffs are entitled to seek review of Defendant's actions under the Administrative Procedure Act, 5 U.S.C. § 702.

SIXTH CAUSE OF ACTION

Plaintiffs reallege the facts in Paragraphs 1 through 401 as if fully set forth in this Count.

The President, HHS, DHS, WHO and UN have passed legsilation to strip the Plaintiffs will also loose their civic rights guaranteeed by the Preamble, Constitution and Bill of Rights and will find themselves under a „foreign“ government with the UN and WHO in control, in the event of a pandemic level 6 being declared.

The Defendant's failure to follow federal law, creates a legal wrong against the Plaintiffs. Plaintiffs are entitled to seek review of Defendant's actions under the Administrative Procedure Act, 5 U.S.C. § 702.

SECOND CAUSE OF ACTION

WHEREFORE, Plaintiffs and those similarly situated to them respectfully ask this Court to:

A. Find and declare that the The Model State Emergency Health Powers Act, the National Emergency Act, NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD 51 and HOMELAND SECURITY PRESIDENTIAL DIRECTIVE/HSPD-20, International Partnership on Avian and Pandemic Influenza, or any other presidential waiver or directive or international law or act that compels them to submit to unproven swine flu vaccinations in the coming weeks or months are unlawful;

B. Find and declare that the government, WHO and UN are not taking steps to control the quality of the vaccine companies

tasked with producing the vaccine increasing the high probability the vaccines will be cause injury or death;

C. Find and declare that the government by criminalising the refusal to take the vaccine and by introducing punishments such as quarantine and the seizure of property is in violation of the Constitutional rights of the Plaintiffs and acting unlawfully;

D. Find and declare that the government by barring the Plaintiffs of their right to claim compensation in the event of damage or injury is acting in violation of federal laws;

E. Find and declare that the government is increasing the danger of a lethal virus being created by a mass vaccination program with unproven toxins and misusing the Plaintiffs to spread diseases;

F. Find and declare that the government by passing legislation that hands soverignty over to international bodies such as the UN and WHO in the event of a pandemic level 6 are violating the Plaintiff#s Constitutional Rights.

Enjoin Defendant from inoculating Plaintiffs and those similarly situated with a substance classified as a bioweapon without
Plaintiffs' informed consent.

Enjoin Defendant from allowing vaccine companies to disregard safeguards and controls.

Enjoin Defendant from classing Plaintiffs as criminals for refusing to take a vaccine and introducing severe punishments such as quarantine for refusal.

Enjoin Defedants from barring the Plaintiffs from compensation in cases when Plaintiffs in cases of injury;

Enjoin Defendant from transferring authority over the US to international bodies such as the UN or WHO by any legislation, executive order or act.

G. Award Plaintiffs their costs and attorneys' fees and any other relief this Court may find
appropriate.

Date: XX, 2009
Respectfully submitted,

Attachment 1

Biological Weapons Anti-Terrorism Act of 1989
From Wikisource
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←Public Law 101-297	Acts of the 101st United States Congress *by United States Congress* Public Law 101-298: Biological Weapons Anti-Terrorism Act	Public Law 101-299→

Pub.L. 101-298, enacted May 22, 1990. From en.wikipedia: The Biological Weapons Anti-Terrorism Act of 1989 (BWATA) was a piece of U.S. legislation that was passed into law in 1990. It provided for the implementation of the Biological Weapons Convention as well as criminal penalties for violation of its provisions. The law was amended in 1996 and has been used to prosecute several individuals.

101ST UNITED STATES CONGRESS
2ND SESSION
An Act
To implement the Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction, by prohibiting certain conduct relating to biological weapons, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Contents
[hide]

[edit] SECTION 1. SHORT TITLE
This Act may be cited as the `Biological Weapons Anti-Terrorism Act of 1989'.
[edit] SECTION 2. PURPOSE AND INTENT
(a) PURPOSE- The purpose of this Act is to—
(1) implement the Biological Weapons Convention, an international agreement unanimously ratified by the United States Senate in 1974 and signed by more than 100 other nations, including the Soviet Union; and
(2) protect the United States against the threat of biological terrorism.
(b) INTENT OF ACT- Nothing in this Act is intended to restrain or restrict peaceful scientific research or development.
[edit] SECTION 3. TITLE 18 AMENDMENTS

(a) IN GENERAL- Title 18, United States Code, is amended by inserting after chapter 9 the following:

CHAPTER 10—BIOLOGICAL WEAPONS

Sec.

Section 175: Prohibitions with respect to biological weapons

(a) IN GENERAL- Whoever knowingly develops, produces, stockpiles, transfers, acquires, retains, or possesses any biological agent, toxin, or delivery system for use as a weapon, or knowingly assists a foreign state or any organization to do so, shall be fined under this title or imprisoned for life or any term of years, or both. There is extraterritorial Federal jurisdiction over an offense under this section committed by or against a national of the United States.

(b) DEFINITION- For purposes of this section, the term `for use as a weapon' does not include the development, production, transfer, acquisition, retention, or possession of any biological agent, toxin, or delivery system for prophylactic, protective, or other peaceful purposes.

Section 176: Seizure, forfeiture, and destruction

(a) IN GENERAL- (1) Except as provided in paragraph (2), the Attorney General may request the issuance, in the same manner as provided for a search warrant, of a warrant authorizing the seizure of any biological agent, toxin, or delivery system that—

(A) exists by reason of conduct prohibited under section 175 of this title; or

(B) is of a type or in a quantity that under the circumstances has no apparent justification for prophylactic, protective, or other peaceful purposes.

(2) In exigent circumstances, seizure and destruction of any biological agent, toxin, or delivery system described in subparagraphs (A) and (B) of paragraph (1) may be made upon probable cause without the necessity for a warrant.

(b) PROCEDURE- Property seized pursuant to subsection (a) shall be forfeited to the United States after notice to potential claimants and an opportunity for a hearing. At such hearing, the government shall bear the burden of persuasion by a preponderance of the evidence. Except as inconsistent herewith, the same procedures and provisions of law relating to a forfeiture under the customs laws shall extend to a seizure or forfeiture under this section. The Attorney General may provide for the destruction or other appropriate disposition of any biological agent, toxin, or delivery system seized and forfeited pursuant to this section.

(c) AFFIRMATIVE DEFENSE- It is an affirmative defense against a forfeiture under subsection (a)(1)(B) of this section that—

(1) such biological agent, toxin, or delivery system is for a prophylactic, protective, or other peaceful purpose; and
(2) such biological agent, toxin, or delivery system, is of a type and quantity reasonable for that purpose.

Section 177: Injunctions

(a) IN GENERAL- The United States may obtain in a civil action an injunction against—
(1) the conduct prohibited under section 175 of this title;
(2) the preparation, solicitation, attempt, or conspiracy to engage in conduct prohibited under section 175 of this title; or
(3) the development, production, stockpiling, transferring, acquisition, retention, or possession, or the attempted development, production, stockpiling, transferring, acquisition, retention, or possession of any biological agent, toxin, or delivery system of a type or in a quantity that under the circumstances has no apparent justification for prophylactic, protective, or other peaceful purposes.
(b) AFFIRMATIVE DEFENSE- It is an affirmative defense against an injunction under subsection (a)(3) of this section that—
(1) the conduct sought to be enjoined is for a prophylactic, protective, or other peaceful purpose; and
(2) such biological agent, toxin, or delivery system is of a type and quantity reasonable for that purpose.

Section 178: Definitions

As used in this chapter—
(1) the term `biological agent' means any micro-organism, virus, or infectious substance, capable of causing—
(A) death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism;